jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

B. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of $100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment.

This rule is an emergency safety zone lasting 24 hours a day for 07 days that will prohibit entry within a two-mile stretch of the Ohio River. It is categorically excluded from further review under paragraph L60(d) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

■ 2. Add § 165.T08–0829 to read as follows:

§ 165.T08–0829 Safety Zone; Ohio River, Madison, IN.

(a) *Location.* The following area is a safety zone: All waters of the Ohio River from surface to bottom, from mile marker 559.0 to 561.0.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port, Ohio Valley (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at (206) 815–7278. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from June 18, 2026, through June 25, 2026, or until the powerline is removed and the hazard has been mitigated, whichever occurs first.

Randy L. Preston,

Captain, U.S. Coast Guard, Captain of the Port, Ohio Valley.

[FR Doc. 2026–12782 Filed 6–24–26; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 74

[MB Docket No. 26–20; FCC 26–37; FR ID 351626]

FCC Adopts Application Limit and Eligibility Restrictions for New NCE Reserved Band FM Translator Station Applications in Upcoming 2026 Filing Window

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (FCC or Commission) adopts eligibility restrictions and a limit on the number of applications that each applicant may file in the upcoming 2026 filing window for applications for new noncommercial educational (NCE) reserved band FM translator station construction permits.

DATES: Effective July 27, 2026.

FOR FURTHER INFORMATION CONTACT: James Bradshaw, *James.Bradshaw@fcc.gov;* Joseph Cohen, *Joseph.Cohen@fcc.gov;* Lisa Scanlan, *Lisa.Scanlan@fcc.gov;* or Amy Van de Kerckhove, *Amy.Vandekerckhove@fcc.gov,* of the Media Bureau, Audio Division, (202) 418–2700.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, (Public Notice), in MB Docket No. 26–20, FCC 26–37, adopted on May 26, 2026, and released on May 28, 2026. The full text of this document is available at the following internet address: *https://docs.fcc.gov/public/attachments/FCC-26-37A1.pdf* or the Commission's ECFS web page at *https://www.fcc.gov/ecfs.* Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format) by sending an email to *fcc504@fcc.gov* or calling the Commission's Consumer and Government Affairs Bureau at (202) 418–0503.

Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as amended (RFA), requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.'' Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule and policy changes contained in this Public Notice on small entities. The FRFA is set forth in Appendix B of the Public Notice.

Paperwork Reduction Act of 1995 Analysis. This document contains no new or modified information collection requirements.

Congressional Review Act. The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is ''non-major'' under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of the Public Notice to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

Synopsis

1. The Commission recently directed the Media Bureau (Bureau) to open the first-ever filing window for applications for new noncommercial educational (NCE) reserved band FM translator station construction permits and sought comment on establishing eligibility restrictions and a limit on the number of applications that each applicant may file in the upcoming window. This document adopts the proposed general ten-application cap and the requirement that each applicant be the licensee or permittee of an existing NCE FM station, a noncommercial AM radio broadcast station, or an LPFM station (primary station), which the proposed FM translator will rebroadcast.

Background

2. The Commission has employed application caps or eligibility restrictions in prior reserved band full service NCE FM windows and non-reserved band FM translator windows to promote efficiency, curb speculative applications, and expedite the processing of applications and expansion of new service while preserving spectrum and future licensing opportunities. Specifically, in the NCE context, the Commission has established by public notice a limit on the number of NCE applications filed by an applicant in a filing window. In both 2007 and 2021, before the full service NCE FM station filing windows opened, the Commission sought comment on an application cap and subsequently established a limit of ten NCE FM new station applications filed by an applicant during each filing window. In each window, this application limit helped restrict the number of mutually exclusive applications, and allowed the Commission to expeditiously process and grant thousands of applications to a wide range of local and diverse applicants, therefore promoting the rapid expansion of new NCE FM service throughout the country.

3. The Commission has also imposed eligibility restrictions and limits in prior FM translator filing windows to be consistent with the mandates of section 5 of the Local Community Radio Act of 2010 (LCRA), which require the Commission to ensure that licensing opportunities are available for all secondary services and that translator licensing procedures do not foreclose or unduly limit future LPFM licensing. The restrictions and procedures adopted for prior FM translator filing windows, including Auction 99 and Auction 100, were designed to strike a balance between the stated goals of the specific proceeding and the overall goal of preserving spectrum for secondary services.

4. In the recent Cap Comment Notice, 91 FR 9528 (Feb. 26, 2026), the Commission tentatively concluded that it should also establish eligibility restrictions and an application cap for the upcoming NCE reserved band FM translator filing window. Specifically, consistent with the Commission's mandate under section 5 of the LCRA and to promote efficiency in this window, the Commission tentatively concluded that a general ten-application cap is a reasonable limit. Further, in accordance with the LPFM cross-ownership restrictions contained in § 73.860 of the Commission's rules, the Commission tentatively proposed to separately impose a four-application cap for Tribal LPFM applicants and a two-application cap for all other LPFM applicants. Finally, in order to further constrain speculative applications and to ensure this window provides additional flexibility to existing broadcasters, the Commission tentatively concluded that imposing a requirement that each applicant be the licensee or permittee of an existing NCE FM or noncommercial AM radio broadcast station or LPFM station (primary station), which the proposed FM translator will rebroadcast, will further these goals. The Commission received several comments, replies, and ex parte filings in response to the Cap Comment Notice. Although the commenters uniformly agree that some limits are advisable, they are not in agreement on what specific cap and restrictions would be most appropriate and beneficial.

Discussion

5. *Application Limit.* The Commission adopts its proposal from the Cap Comment Notice to establish a general limit of ten applications per applicant in the upcoming window for new NCE reserved band FM translator station construction permits. The Commission finds that a ten-application cap, which was supported by the vast majority of the commenters addressing the limit, will best provide interested parties with a meaningful opportunity to file for and obtain new NCE reserved band FM translator licenses, while still preserving spectrum for future secondary services, consistent with the LCRA, deter speculative filings and procedural delays, and permit the expeditious processing of applications filed in the window. Moreover, the ten-application cap, employed in both the 2007 and 2021 NCE FM filing windows, has proven in practice to be very effective. Specifically, in these windows, the ten-application limit helped restrict the number of mutually exclusive applications, discouraged mass filings by speculators, and facilitated the expeditious processing and grant of thousands of applications to a vast range of legitimate local and diverse applicants.

6. The Commission concludes that a higher application limit of 30 applications, as recommended by Magrill and Cedar Cove, would not serve its goals as well as the ten-application cap the Commission adopts herein, as the potential benefits to a few applicants would be outweighed by the harm to all applicants from additional complications and processing delays. The Commission acknowledges Magrill and Cedar Cove's laudable claims that a higher cap could potentially increase service to underserved, small communities and rural areas. The Commission finds, however, that these proposals for an increased cap, which were not endorsed by any other commenters, and opposed by REC and LPFM–AG, have the significant drawback of increasing the potential for more and larger MX groups, which could lead to processing delays and inhibit the expeditious initiation of new service to the public. The Commission also finds that implementing either Magrill's or Cedar Cove's 30-application cap tiered approach would be cumbersome, create logistical and administrative challenges, and thus further complicate and delay processing and initiation of new NCE reserved band FM translator service.

7. Finally, in accordance with the § 73.860 LPFM cross-ownership restrictions, the Commission adopts its proposal to separately impose a four-application cap for Tribal LPFM applicants and a two-application cap for all other LPFM applicants. The Commission finds that Cedar Cove's recommendation to limit all LPFM applicants to one application in the window will unnecessarily curtail an LPFM applicant's ability to identify a usable reserved band channel and expand its service, while LPFM–AG's proposed higher cap of four applications for all LPFM applicants, and Schober's proposal of unlimited applications for all Tribal LPFM applicants, are logistically complicated, unfair to full service applicants, and contrary to the Commission's well established LPFM ownership restrictions.

8. *Eligibility Restrictions.* The Commission adopts its proposal from the Cap Comment Notice, supported by numerous commenters, to require that each applicant be the licensee or permittee of an existing NCE FM or noncommercial AM radio broadcast station or LPFM station (primary station), which the proposed FM translator will rebroadcast. The Commission agrees with REC and K–LOVE/HMG that this eligibility restriction is ''necessary to prevent abuse,'' will ensure ''opportunities for applicants will be fair,'' and will constrain gamesmanship and speculative applications. As NRB emphasizes, ''[t]ying translator authorizations to a primary station provides a clear and workable standard that aligns with the Commission's longstanding commitment to localism and community service. It ensures that spectrum is allocated to broadcasters with an established record of serving their listeners, rather than to entities seeking to acquire spectrum for speculative purposes.'' In contrast, de Caro's proposal to extend participation to applicants who are not currently authorized permittees or licensees would defeat this goal.

9. The Commission agrees with commenters that this eligibility restriction would be ineffectual without a holding period. As REC and LPFM–AG explain, there ''needs to be a safeguard in place'' to prevent speculation and gamesmanship, such as ''immediate flipping, paper reshuffling of primaries, or rapid untethering of translators shortly after grant or license.'' While LPFM–AG recommends a one-year holding period, and Schober proposes a permanent holding period, the Commission finds REC's suggested four-year period strikes the correct balance and is sufficient to deter license speculators, while not unduly burdening the licensee. Moreover, similar four-year holding periods have been effective in preventing gamesmanship in the NCE FM full service context and prior FM translator filing windows. Accordingly, from the time that the Commission grants a construction permit in the upcoming filing window until the time when the facility has achieved four years of on-air operations rebroadcasting the primary station identified on the authorization, the permittee/licensee (1) must maintain, and cannot change, the primary station to be rebroadcast by the FM translator, and (2) cannot assign or transfer its FM translator authorization to a different entity unless it is in conjunction with the assignment or transfer of the primary station to that same entity.

10. Finally, the Commission finds additional eligibility restrictions are unnecessary to achieve the Commission's goals of giving legitimate interested parties the opportunity to apply for NCE reserved band FM translator outlets, while still preserving secondary service spectrum, curbing abuse, and promoting efficiency. The Commission declines to adopt EIC's suggested restrictions based on existing authorizations and income, a proposal adamantly opposed by several commenters. The Commission agrees with these commenters that EIC's narrow restrictions would be arbitrary, contrary to the public interest, and burdensome. Specifically, the Commission finds that a restriction based on the number of full power primary stations and FM translator stations an applicant holds would unduly penalize and exclude established broadcasters and ''preclude the filing of applications by the very licensees where the public would be served by these new translators.'' Further, a restriction based on annual gross income would require the collection of information currently unavailable to the Commission, creating delays and an additional burden on both applicants and Bureau staff that will not further the Commission's goals of this proceeding (*i.e.,* promote efficiency in this window, constrain speculative applications, and ensure this window provides additional flexibility to existing broadcasters). An income-based restriction could also, as K–LOVE/HMG notes, potentially ''dissuade robust participation from licensees as diverse as state universities, non-profits, and religious broadcasters with revenue streams wholly unrelated to their broadcast business, undermining the public interest goals of the filing window.''

11. *Eligibility Restriction and Application Limits.* Accordingly, after reviewing and considering the comments in this proceeding, the Commission adopts and codifies the proposed eligibility restriction and application limits: In the 2026 new NCE reserved band FM translator station construction permit filing window: (1) each applicant must be the licensee or permittee of an existing NCE FM or noncommercial AM radio broadcast station or LPFM station (primary station) that the proposed FM translator station will rebroadcast; (2) each applicant entity may file no more than a total of ten applications nationally, except that (i) each Tribal LPFM applicant entity that is subject to § 73.860(c) may file no more than a total of four applications nationally, and (ii) each other LPFM applicant entity that is subject to § 73.860(b) may file no more than a total of two applications nationally; and (3) a party to an application may hold attributable interests, as defined in § 73.7000, in no more than the maximum applications permitted under this rule. If it is determined that any applicant entity filed more than the maximum applications permitted under this rule, or any party to an application has an attributable interest in more than the maximum permitted, the Media Bureau will retain the applications that were filed first—based on application receipt data—and dismiss all other applications that exceed the limit. Each station authorization granted in the 2026 new NCE reserved band FM translator station construction permit filing window shall be subject to a holding period. From grant of the construction permit until the time when the facility has achieved four years of on-air operations rebroadcasting the primary station identified on the authorization, the permittee/licensee: (1) must maintain, and cannot change, the primary station to be rebroadcast by the FM translator, and (2) cannot assign or transfer the FM translator authorization to a different entity unless it is in conjunction with the assignment or transfer of the primary station to that same entity.

Procedural Matters

12. *Regulatory Flexibility Analysis.* As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Federal Communications Commission (Commission) incorporated an Initial Regulatory Flexibility Analysis (IRFA) in the FCC Seeks Comment on Proposed Application Limit for New

Noncommercial Educational Reserved Band FM Translator Station Applications in Upcoming 2026 Filing Window, Public Notice (*Cap Comment Notice*), released in February 2026. The Commission sought written public comment on the proposals in the Cap Comment Notice, including comment on the IRFA. No comments were filed addressing the IRFA; however, the Commission discusses relevant comments and related proposals that may impact small entities below. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA and it (or summaries thereof) will be published in the **Federal Register**.

13. *Need for, and Objectives of, the Rules.* In the document, the Commission establishes that in the upcoming 2026 noncommercial educational (NCE) reserved band FM translator filing window: (1) each applicant must be the licensee or permittee of an existing NCE FM or noncommercial AM radio broadcast station or low power FM (LPFM) station (primary station) that the proposed FM translator station will rebroadcast; (2) each applicant entity may file no more than a total of ten applications nationally, except that Tribal LPFM applicants are limited to four applications and all other LPFM applicants to two applications nationally; and (3) a party to an application may hold attributable interests in no more than the maximum applications permitted under the Commission's rules (rules). In addition, the Commission has determined that, absent eligibility restrictions and a limit on the number of applications that an entity may file in the filing window described in the document, some applicants may file a large number of speculative applications, including applications that are mutually exclusive with each other. Accordingly, the Commission has determined that a general limit of ten applications for NCE reserved band FM translator station construction permits in the filing window, as well as imposing a requirement that each applicant be the licensee or permittee of an existing NCE FM or noncommercial AM radio broadcast station or LPFM station (primary station) that the proposed FM translator will rebroadcast, are appropriate procedural safeguards.

14. The Commission also adopts a holding period for construction permits granted in the upcoming filing window, and the subsequent licenses, mandating that from grant of the permit until the facility has achieved four years of on-air operations rebroadcasting the primary station identified on the authorization, the permittee/licensee (1) must maintain, and cannot change, the primary station to be rebroadcast by the FM translator, and (2) cannot assign or transfer its FM translator authorization to a different entity unless it is in conjunction with the assignment or transfer of the primary station to that same entity.

15. Lastly, the Commission concludes that an application limit, eligibility restrictions, and four-year holding period will deter speculation, permit the expeditious processing of the NCE reserved band FM translator applications filed in the window, and provide interested applicants with a meaningful opportunity to file for and obtain new NCE reserved band FM translator station licenses while still preserving spectrum for future secondary services. The Commission believes that the application limit, eligibility restrictions, and four-year holding period will benefit small entities, as defined below.

16. *Summary of Significant Issues Raised by Public Comments in Response to the* IRFA. In response to the Cap Comment Notice, the Commission received comments and replies from broadcast industry stakeholders who debated the proposed application limits, eligibility restrictions, and related issues. Though no comments were filed directly addressing the IRFA, a number of comments were submitted regarding proposals that may impact small entities. The majority of commenters addressing the application limit endorse the Commission's proposed 10-application cap. Kyle Magrill (Magrill) and Cedar Cove Broadcasting, Inc. (Cedar Cove) each recommend a larger 30-application limit. REC Networks (REC) and Low Power FM Advocacy Group (LPFM–AG) each oppose Cedar Cove's proposal. Edward A. Schober (Schober) urges the Commission to exempt applicants from the cap ''if all the applications, and the principal community of the primary station are within the same minor insular outlying area, provided that the applicant has no applications outside the minor outlying area. (USVI, Guam, Northern Mariana Islands, American Samoa, etc.).''

17. REC supports the four-application cap for Tribal LPFM applicants and two-application cap for all other LPFM applicants proposed in the Cap Comment Notice. Cedar Cove recommends that the Commission limit all LPFM applicants to only one application in the filing window. REC and LPFM–AG each oppose Cedar Cove's proposal. LPFM–AG conversely argues that the ''the window is too narrow to be meaningful for many LPFM applicants,'' and the Commission should therefore increase the limit to four applications for all LPFM applicants. Prometheus Radio Project agrees with LPFM–AG's recommendation to increase the application limit for all LPFM applicants. Finally, Schober proposes that the Commission allow unlimited translator applications for Tribal and public safety LPFM applicants.

18. Several commenters endorse the Commission's proposal to require that each applicant be the licensee or permittee of an existing primary station, which the proposed FM translator will rebroadcast. Only one commenter, Charles de Caro, opposes the restriction. The Educational Information Corporation (EIC) supports the primary station eligibility restriction, but advocates for several additional restrictions based on the number of existing authorizations and annual gross income. Four separate commenters oppose EIC's proposed restrictions.

19. To prevent speculation and gamesmanship, REC recommends imposing a four-year holding period on construction permits granted in this filing window. Common Frequency, Inc., supports REC's proposal, but recommends that ''in maintaining the primary station rebroadcast designation, the Commission should be able to grant narrow waivers in the local public interest for certain changes.'' LPFM–AG opposes a four-year holding period and instead advocates for a one-year holding period to address the risk of ''immediate flipping, paper shuffling of primaries, or rapid untethering of translators shortly after grant or license.'' Schober recommends a ''permanent freeze'' on assignments and primary station changes. The Commission's response to these comments and proposals is discussed below. Finally, some commenters request that the Commission make material changes to several rules before opening the window. These recommendations, irrespective of their merits, fall outside the scope of this proceeding, and therefore the Commission will not consider them here.

20. *Response to Comments by the Chief Counsel for the Small Business Administration Office of Advocacy.* Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy, and also provide a detailed statement of any change made to the proposed rules as a result of those comments. The Chief Counsel did not

file any comments in response to the proposed rules in this proceeding.

21. *Description and Estimate of the Number of Small Entities to Which the Rules Will Apply.* The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the adopted rules. The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A ''small business concern'' is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA. The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.

22. The Commission's actions, over time, may affect small entities that are not easily categorized at present. The Commission therefore describes three broad groups of small entities that could be directly affected by its actions. In general, a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. Next, ''small organizations'' are not-for-profit enterprises that are independently owned and operated and not dominant their field. While the Commission does not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees. Finally, ''small governmental jurisdictions'' are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. Based on the 2022 U.S. Census of Governments data, the Commission estimates that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.

23. The rules adopted in the document will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS) codes and corresponding SBA size standard. Where available, the Commission also provides additional information regarding the number of potentially affected entities in the industries identified below.

TABLE 1—2022 U.S. CENSUS BUREAU DATA BY NAICS CODE

Regulated industry (footnotes specify potentially affected entities within a regulated industry where applicable)	NAICS code	SBA size standard	Total firms	Total small firms	% small firms
Radio Broadcasting Stations	516110	$47 million	2,616	2,136	81.65

TABLE 2—BROADCAST ENTITY DATA

Broadcast station owners (as of August 8, 2025)	SBA size standard ($47 million)		
Affected entity	# Commercial licensed	Small firms	(%)Small entities
Radio Stations (AM & FM) Groups	2,881	2,863	99.38

24. *Description of Economic Impact and Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities.* The RFA directs agencies to describe the economic impact of adopted rules on small entities, as well as projected reporting, recordkeeping, and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.

25. The document adopts eligibility restrictions, a four-year holding period, and a limit on the number of applications each applicant may file in the upcoming filing window. The Commission finds that none of the changes adopted in the document will result in an increase in the reporting and recordkeeping requirements of broadcast stations or applicants for NCE reserved band FM translator authorizations. Applicants will be current licensees or permittees of an existing NCE FM or noncommercial AM radio broadcast station or LPFM station and should be familiar with the Commission's application process, thereby reducing the need to hire other professionals to comply with this process. Small entity applicants are required to comply with application requirements, including submitting no more than a total of ten applications nationally. Small Tribal LPFM applicants may file no more than four applications nationally, and other LPFM applicants subject to § 73.860(b) of the Commission's rules may file no more than a total of two applications nationally. In addition, applicants may hold attributable interests in no more than the maximum applications permitted as defined in § 73.7000 of the Commission's rules, and must comply with the four-year holding period as discussed above.

26. *Discussion of Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered.* The RFA requires an agency to provide ''a description of the steps the agency has taken to minimize the significant economic impact on small entities . . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.

27. As discussed above, commenters offered various alternatives to the application caps and eligibility restrictions proposed in the document. Regarding the adopted ten-application cap, which was supported by the majority of commenters addressing the limit, the Commission finds that the 30-application limit proposals by Magrill and Cedar Cove would not serve its goals as well as the ten-application limit. While the Commission

acknowledges their laudable claims that a higher cap could increase service to underserved and rural areas, these increased cap proposals, which were not endorsed by any other commenters and opposed by REC and LPFM–AG, have the significant drawback of increasing the potential for more and larger mutually exclusive (MX) groups, which could lead to processing delays. Implementing a 30-application approach would also create administrative challenges, further delaying the initiation of new radio service to the public.

28. The Commission also rejects proposed alternatives to the adopted four-application cap for Tribal LPFM applicants and a two-application cap for all other LPFM applicants. The Commission finds that Cedar Cove's recommendation to limit all LPFM applicants to one application would unnecessarily restrict an applicant's ability to identify a usable reserved-band channel and expand service. Furthermore, LPFM–AG's proposed four-application cap for all LPFM applicants and Schober's proposal for unlimited applications for all Tribal LPFM applicants are logistically complicated, unfair to full-service applicants, and contrary to the Commission's well-established LPFM ownership restrictions.

29. The Commission also considers additional applicant eligibility restrictions in the document, but ultimately adopts the restrictions proposed in the *Cap Comment Notice.* For example, the Commission declines to adopt EIC's suggested restrictions based on the number of an applicant's existing authorizations and income, which several commenters adamantly opposed. The Commission agrees that these narrow restrictions would be arbitrary, burdensome, and contrary to the public interest.

30. In the document, the Commission also considers various holding period proposals. The Commission agrees with REC and LPFM–AG that there ''needs to be a safeguard in place'' to prevent speculation and gamesmanship and that a temporary restriction on primary station changes and assignments/transfers will curb the risk of ''immediate flipping, paper reshuffling of primaries, or rapid untethering of translators shortly after grant or license.'' The Commission finds that REC's four-year holding period proposal strikes the correct balance and is sufficient to deter license speculators, while not unduly burdening the licensee.

31. *Report to Congress.* The Commission will send a copy of the document, including this Final Regulatory Flexibility Analysis, in a report to Congress pursuant to the Congressional Review Act. In addition, the Commission will send a copy of the document, including this Final Regulatory Flexibility Analysis, to the Chief Counsel for the SBA Office of Advocacy and will publish a copy of the document and this Final Regulatory Flexibility Analysis (or summaries thereof) in the **Federal Register**.

List of Subjects in 47 CFR Part 74

Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

Aleta Bowers,

Federal Register Liaison Officer, Office of the Secretary.

Final Rule

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 74 as follows:

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

■ 1. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, 307, 309, 310, 325, 336 and 554.

■ 2. Amend § 74.1233 by adding paragraphs (b)(5) and (6) to read as follows:

§ 74.1233 Processing FM translator and booster station applications.

* * * * *

(b) * * *

(5) *Eligibility and application limits.* In the 2026 new NCE reserved band FM translator station construction permit filing window:

(i) Each applicant must be the licensee or permittee of an existing NCE FM or noncommercial AM radio broadcast station or LPFM station (primary station) that the proposed FM translator station will rebroadcast;

(ii) Each applicant entity may file no more than a total of ten applications nationally, except that

(A) Each Tribal LPFM applicant entity that is subject to § 73.860(c) may file no more than a total of four applications nationally, and

(B) each other LPFM applicant entity that is subject to § 73.860(b) may file no more than a total of two applications nationally; and

(iii) A party to an application may hold attributable interests, as defined in § 73.7000, in no more than the maximum applications permitted under this rule. If it is determined that any applicant entity filed more than the maximum applications permitted under this rule, or any party to an application has an attributable interest in more than the maximum permitted, the Media Bureau will retain the applications that were filed first—based on application receipt data—and dismiss all other applications that exceed the limit.

(6) *Holding period.* Each station authorization granted in the 2026 new NCE reserved band FM translator station construction permit filing window shall be subject to a holding period. From grant of the construction permit until the time when the facility has achieved four years of on-air operations rebroadcasting the primary station identified on the authorization, the permittee/licensee:

(i) Must maintain, and cannot change, the primary station to be rebroadcast by the FM translator; and

(ii) Cannot assign or transfer the FM translator authorization to a different entity unless it is in conjunction with the assignment or transfer of the primary station to that same entity.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No.: 260622–0149]

RIN 0648–BL49

Fisheries of the Exclusive Economic Zone off Alaska; Modify the Timing of Haul Designation for Trawl Catcher Processors in the Gulf of Alaska and Bering Sea and Aleutian Islands Groundfish Fisheries

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to standardize the time limit in which trawl catcher/processors (C/Ps) participating in the groundfish fisheries in the Gulf of Alaska Management Area (GOA) and the Bering Sea and Aleutian Islands Management Area (BSAI) must assign each haul to a management program. This action is necessary to improve consistency with respect to when trawl C/Ps are required to assign a haul to a specific management