

U.S. system, and we estimate that 20 MHz is the minimum amount of spectrum necessary for a viable MSS system.

9. Even under the proposal we make today, we are pessimistic about coordinating all 28 MHz of spectrum we have licensed AMSC to use. We do expect, however, to coordinate enough spectrum to permit AMSC to operate at least one of its three satellites in a cost-effective manner. If contrary to our expectation, we are able to coordinate more than 28 MHz of spectrum in the upper and/or lower L-bands, we propose to allow other parties to apply for the additional spectrum.

10. In addition to adopting rules that permit us to assign AMSC spectrum in the upper and lower L-bands different from that which AMSC is currently authorized to use, we also propose to modify AMSC's authorization to include spectrum in the entire L-band, lower and upper. Therefore, this NPRM shall also serve as notice to AMSC of a proposal to modify its current license, and protests may be filed in response to this NPRM.

#### Ordering Clauses

11. Accordingly, pursuant to authority contained in sections 4(i), 4(j), 303, 316, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 303, 316, and 403, we hereby give notice of our intent to adopt the licensing policies set forth herein and to modify, as specified herein, the license currently held by AMSC for provision of MSS service.

12. It is further ordered that the Secretary shall send a copy of this Notice of Proposed Rule Making, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with 5 U.S.C. 601 *et seq.* (1981) and pursuant to § 1.87 of the rules, shall serve a copy of this NPRM on AMSC.

#### Administrative matters

13. This is a rulemaking proceeding to develop policies for the assignment of spectrum but because the Commission also proposes to modify a license, this proceeding is also an adjudication. Pursuant to § 1.1200(a) of the Commission's rules, § 1.1208 detailing the *ex parte* procedures for adjudicatory proceedings is waived. The entire proceeding both, rulemaking and adjudication, shall be treated as "non-restricted" for *ex parte* purposes in order to assist the Commission in developing a more complete record on which a well-reasoned decision can be made. 47 CFR 1.1200(a) and 1.1206. *Ex*

*parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission's rules. See generally 47 CFR 1.1202, 1.1203, and 1.1206(a). The Sunshine Agenda period is the period of time that commences with the release of public notice that a matter has been placed on the Sunshine Agenda and terminates when the Commission (1) Releases the text of a decision or order in the matter; (2) issues a public notice stating that the matter has been deleted from the Sunshine Agenda; or (3) issues a public notice stating that the matter has been returned to the staff for further consideration, whichever occurs first. 47 CFR 1.1202(f). During the Sunshine Agenda period, no presentations, *ex parte* or otherwise, are permitted unless specifically exempted. 47 CFR 1.1203.

14. Pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415 and 1.419, interested parties may file comments on or before September 3, 1996, and reply comments on or before September 23, 1996. To file formally in this proceeding, you must file an original and five copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments, send additional copies to Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554. Comments and reply comments will be available for public inspection during regular business hours in the Federal Communications Commission, Reference Center, Room 239, 1919 M Street, NW., Washington, DC 20554. For further information concerning this NPRM contact Paula Ford at (202) 418-0760 or Kathleen Campbell at (202) 418-0753.

#### Initial Regulatory Flexibility Act Statement

15. As required by section 603 of the Regulatory Flexibility Act, the Commission has prepared an Initial Regulatory Flexibility Analysis ("IRFA") of the expected impact on small entities of the proposals suggested in this document. The IRFA is set forth in Appendix A of the NPRM. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the NPRM, but they must have a separate and distinct heading designating them as responses to the Initial Regulatory Flexibility Analysis. The Secretary shall send a copy of this NPRM, including the Initial Regulatory Flexibility Analysis,

to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act, Pub.L. No. 96-354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

#### List of Subjects in 47 CFR Part 25

##### Satellites.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

[FR Doc. 96-19924 Filed 8-5-96; 8:45 am]

BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-156, RM-8840]

#### Radio Broadcasting Services; Limon, CO

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of Roger L. Hoppe, II, requesting the allotment of FM Channel 229A to Limon, Colorado, as that community's second local FM transmission service. Coordinates used for this proposal are 39-15-36 and 103-41-12.

**DATES:** Comments must be filed on or before September 16, 1996, and reply comments on or before October 1, 1996.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: James A. Koerner, Esq., Baraff, Koerner & Olender, P.C., Three Bethesda Metro Center, Suite 640, Bethesda, MD 20814-5330.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 96-156, adopted July 19, 1996, and released July 26, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

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 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

##### Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-19877 Filed 8-5-96; 8:45 am]

BILLING CODE 6712-01-F

#### 47 CFR Part 73

[MM Docket No. 96-154, RM-8834]

##### Radio Broadcasting Services; Wynnwood, OK

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Bea Kimbrough seeking the allotment of Channel 291A to Wynnwood, OK, as the community's first local aural transmission service. Channel 291A can be allotted to Wynnwood in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 34-38-42 North Latitude and 97-10-00 West Longitude.

**DATES:** Comments must be filed on or before September 16, 1996, and reply comments on or before October 1, 1996.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Bea Kimbrough, 9400 Wonga, Midwest City, OK 73130 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 96-154, adopted July 19, 1996, and

released July 26, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

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 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

##### Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-19875 Filed 8-5-96; 8:45 am]

BILLING CODE 6712-01-F

#### 47 CFR Part 73

[MM Docket No. 96-155; RM-8828]

##### Radio Broadcasting Services; Keaau, HI

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by Deborah Takehiro Ombac seeking the allotment of FM Channel 286C2 to Keaau, Hawaii, as that community's first local aural transmission service. Coordinates utilized for this proposal are 19-37-30 and 155-02-24.

**DATES:** Comments must be filed on or before September 16, 1996, and reply comments on or before October 1, 1996.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Deborah Takehiro Ombac, 620 Awa St., Hilo, HI 96720.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 96-155, adopted July 19, 1996, and released July 26, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

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 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

##### Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-19878 Filed 8-5-96; 8:45 am]

BILLING CODE 6712-01-F

#### DEPARTMENT OF ENERGY

##### 48 CFR Parts 909, 952, and 970

RIN 1991-AB26

##### Acquisition Regulation; Revisions to Organizational Conflicts of Interest

**AGENCY:** Office of Procurement and Assistance Management, Department of Energy.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Energy (DOE) proposes today to amend its Acquisition Regulation to effect changes to its Organizational Conflicts of Interest policies as a result of the repeal of the two statutory provisions upon which DOE's system for treating organizational conflicts of interest was based.