

authorizations were associated with common carrier service.

26. Alternatively, under the SBA rules, the applicable definition of small entity for MAS licensees that provide commercial services may also be applicable to establishments primarily engaged in furnishing telegraph and other message communications. This definition provides that a small entity is an entity with annual receipts of \$5 million or less. 13 CFR 121.201, Standard Industrial Classification (SIC) code 4822. 1992 Census data, which is the most recent information available, indicates that, of the 286 firms under this category, 247 had annual receipts of \$4.999 million or less. We seek comment on whether the appropriate definition for such MAS licensees is SIC Code 4812, SIC code 4822, or both.

27. The Commission seeks comment on the number of small entities that currently provide commercial MAS subscription service, and the number of small entities that would anticipate filing applications to provide such service under the various proposals described in this *Further Notice* and the *Notice*. We seek comment on whether we should conclude, for purposes of the Final Regulatory Flexibility Analysis in this matter, that all MAS commercial communications service providers are small entities.

28. With respect to second category, which consists of entities that use, or seek to use, MAS spectrum for the meeting of their own internal communications needs, we note that MAS serves an essential role in a range of industrial, safety, business, and land transportation activities. MAS radios are used by companies of all sizes, operating in virtually all U.S. business categories, and by all types of public safety entities. Because of the array of users, the Commission has not developed (nor would it be possible to develop) a definition of small entities specifically applicable to such MAS users. Nor is there a precise SBA definition. In this context we again seek comment on whether the appropriate definition of small entity under the SBA rules is that applicable to radiotelephone companies: any entity employing fewer than 1,500 persons. See 13 CFR 121.201, Standard Industrial Code (SIC) Code 4812. Again, alternatively, we seek comment on the appropriateness of defining such MAS licensees under SIC Code 4822, concerning establishments primarily engaged in furnishing telegraph or other message communications, or perhaps under both Codes 4812 and 4822. For the purpose of determining whether a licensee is a small business as defined

by the SBA, each licensee would need to be evaluated within its own business area. The Commission's licensing database indicates that, as of January 20, 1999, of the 8,670 total MAS station authorizations, 8,410 authorizations were for private radio service, and of these, 1,433 were for private mobile service.

29. We seek comment on the number of small entities that use MAS spectrum for their internal communications needs. Further, we seek comment on the number of small entities that are likely to apply for licenses, under the various proposals described in this *Further Notice* and the *Notice*, to obtain spectrum for their own internal communications needs. Because any entity engaged in a business or commercial activity is eligible to hold an MAS license, the proposals could prospectively affect any small business in the United States interested in using MAS for its own communications needs. In other words, the universe of prospective or possible MAS licensees includes all U.S. small businesses.

30. The RFA also includes small governmental entities as part of the regulatory flexibility analysis. The definition of a small governmental entity is one with populations of fewer than 50,000. There are 85,006 governmental entities in the nation. This number includes such entities as states, counties, cities, utility districts and school districts. There are no figures available on what portion of this number has populations of fewer than 50,000. However, this number includes 38,978 counties, cities and towns, and of those, 37,556, or 96 percent, have populations of fewer than 50,000. The Census Bureau estimates that this ratio is approximately accurate for all government entities. Thus, of the 85,006 governmental entities, we estimate that 96 percent, or about 81,600, are small entities that may be affected by our rules.

31. Again, we have requested comment, in the initial *Notice*, regarding the establishment of a refined small business definition for MAS for the specific purpose of competitive bidding. Neither the *Notice* nor this *Further Notice* propose any specific definition, rather the *Notice* merely sought comment on this issue.

#### Paperwork Reduction Act

32. This *Further Notice* contains a proposed information collection. As part of the Commission's continuing effort to reduce paperwork burdens, we invite the general public, the Office of Management and Budget (OMB), and other agencies to take this opportunity

to comment on the information collections contained in the *Further Notice*, as required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13. Public and agency comments are due at the same time as other comments on the *Further Notice*; OMB comments are due 60 days after the publication of the *Further Notice* summary in the **Federal Register**. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to *both* of the following: Leslie Smith, Federal Communications Commission, Room 1-A804, 445 12th St., SW., Washington, DC 20554, or via the Internet to [lsmith@fcc.gov](mailto:lsmith@fcc.gov), and Timothy Fain, OMB Desk Officer, 10236 NEOB, 725 17th Street, NW., Washington DC 20503, or via the Internet to [fain\\_t@al.eop.gov](mailto:fain_t@al.eop.gov).

Federal Communications Commission.

**Magalie Roman Salas,**  
*Secretary.*

[FR Doc. 99-18248 Filed 7-16-99; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 99-252, RM-9648]

#### Digital Television Broadcast Service; Las Vegas, NV

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Journal Broadcast Corporation, licensee of station KTNV, NTSC Channel 13, Las Vegas, Nevada, proposing the substitution of DTV Channel 12 for station KTNV's assigned DTV Channel 17. DTV Channel 12 can be allotted to Las Vegas, Nevada, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 35-56-43 N and

115-02-32 W. As requested, we propose to modify station KTNV's authorization to specify operation on DTV Channel 12 at Las Vegas, Nevada, with a power of 26.4(kW) and an antenna HAAT of 610 meters.

**DATES:** Comments must be filed on or before September 7, 1999, and reply comments on or before September 22, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: John T. Scott, III, Jessica R. Herrera, Crowell & Moring LLP, 1001 Pennsylvania, NW, Washington, D.C. 20004-2595 (Counsel for petitioner).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-252, adopted July 13, 1999, and released July 14, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center 445 12th Street, SW, 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, 1231 20th Street, NW, Washington, DC 20036.

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**

Digital Television Broadcasting.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 99-18301 Filed 7-16-99; 8:45 am]

BILLING CODE 6712-01-P

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

**[MM Docket No. 98-220; RM-9399]**

#### **Radio Broadcasting Services; Sioux Rapids, IA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal of.

**SUMMARY:** The Commission, at the request of ALALATEX, dismisses its petition proposing the allotment of Channel 252A at Sioux Rapids, Iowa, as the community's second local FM transmission service. See 63 FR 68719, December 24, 1998. A showing of continuing interest is required before a channel can be allotted to a community. It is Commission policy, absent such an expression of interest, to refrain from allotting the channel. With this action, this proceeding is terminated.

#### **FOR FURTHER INFORMATION CONTACT:**

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 98-220, adopted June 30, 1999, and released July 9, 1999. The full text of this Commission decision 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 contractors, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 99-18238 Filed 7-16-99; 8:45 am]

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