

released September 8, 2000. 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.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 00-23269 Filed 9-8-00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 00-1963, MM Docket No. 00-153, RM-9936; MM Docket No. 00-154, RM-9935]

Radio Broadcasting Services; Marceline, MO, Fair Haven, VT

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on two petitions for rule making requesting FM channel allotments at Marceline, MO, and Fair Haven, VT. Channel 256A can be allotted to Marceline in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.2 kilometers (4.5 miles) northeast, at coordinates 39-44-42 NL; 92-52-33 WL, to avoid a short-spacing to Station KQRC-FM, Channel 255C, Leavenworth, Kansas. Channel 223A can be allotted to Fair Haven in compliance with the Commission's minimum distance separation requirements, with respect to all domestic allotments, without the imposition of a site restriction at coordinates 43-35-41 NL; 73-15-58

WL. Fair Haven is located within 320 kilometers (200 miles) of the U.S.-Canadian border and the allotment, at the proposed coordinates, will result in a 29.1 kilometer short-spacing to Station CFQR-FM, Channel 223C1, Montreal, Quebec, Canada. Therefore, concurrence by the Canadian Government in the allotment, as a specially negotiated short-spaced allotment, must be obtained.

DATES: Comments must be filed on or before October 16, 2000, and reply comments on or before October 31, 2000.

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: RC Broadcasting Company, 9118 NE 198th Street, Trimble, MO 64492 (Petitioner in RM-9936); Vermont Community Radio c/o Peter Morton, Vice President, Research, P.O. Box 8260, Essex, VT 05451-8260 (Petitioner in RM-9935).

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 Nos. 00-153, 00-154, adopted August 16, 2000, and released August 25, 2000. 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.

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

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 00-23211 Filed 9-8-00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 090600B]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Applications for Exempted Fishing Permits (EFPs)

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

ACTION: Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

SUMMARY: NMFS announces that the Administrator, Northeast Region, NMFS (Regional Administrator), has made a preliminary determination to issue EFPs to conduct experimental fishing operations otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The Northeast Region has received a request to allow several purse seine vessels to fish in Closed Area I. Therefore, this document invites comments on the issuance of EFPs to conduct experimental fishing with a maximum of 5 commercial fishing vessels. The EFPs would allow tuna purse seine vessels to fish for giant bluefin tuna in Northeast Multispecies Closed Area I, where purse seine gear is normally prohibited. This exempted fishery would allow NMFS and the New England Fishery Management Council to evaluate the feasibility of allowing this type of gear in the closed area as an exempted gear on a permanent basis.

DATES: Comments on this document must be received by September 12, 2000.

ADDRESSES: Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Proposed EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135. Comments will not be accepted if submitted via e-mail or the Internet.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones or Peter W. Christopher, Fishery Policy Analysts, (978) 281-9273 and (978) 281-9288.

SUPPLEMENTARY INFORMATION:

Background

The Georges Bank and Southern New England Southern New England (SNE) multispecies closed areas were established under the Northeast Multispecies FMP to provide protection to concentrations of multispecies, particularly for cod, haddock and yellowtail flounder. Consequently, all fishing in these closed areas was prohibited, with few exceptions. The exceptions were limited to fisheries that are known to have a very low occurrence of multispecies bycatch. For example, pelagic midwater trawl was determined to have a negligible catch of multispecies because the gear fishes well off the ocean floor; therefore, it is an allowed gear in the Georges Bank and SNE closed areas. Purse seine gear is a

pelagic gear that is typically used to target species such as herring, mackerel, and tuna concentrated at or near the surface of the ocean. It is not designed to fish for species at or near the ocean floor and is typically considered to have very little interaction with bottom dwelling species. However, observer data from the tuna purse seine fishery from 1996, the last year this fishery carried observers, do document a small catch of groundfish and bottom-dwelling organisms.

Proposed EFP

The proposed EFP would exempt purse seine vessels fishing for giant bluefin tuna under 50 CFR part 635 from the gear restrictions of Closed Area I, as described at 50 CFR 648.81(a). There would be no more than 5 vessels fishing individual quotas, which may be taken through the end of the fishing year, but are usually taken by the middle of October. Because these fish are migrating, it is expected that the

fishery would take place within the closed area for only a few weeks. If selected, vessels would be required to carry observers, if requested by NMFS, who would document catch of all species, interactions of the net with the bottom, and any incidental take of marine mammals and endangered species. After any sampling requested by an observer, all multispecies would be required to be discarded.

EFPs would be issued to the participating vessels in accordance with the conditions stated therein, and will exempt vessels from the restrictions of Closed Area I of the Northeast Multispecies Fishery Management Plan.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 6, 2000.

William T. Hogarth,

*Deputy Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 00-23285 Filed 9-6-00; 4:46 pm]

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