

power of 25, a height above average terrain HAAT of 577 meters.

**DATES:** Comments must be filed on or before July 19, 2004, and reply comments on or before August 3, 2004.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and comments in proceeding involving petitions for rule making (*except in broadcast allotment proceedings*). See *Electronic Filing of Documents in Rule Making Proceedings*, GC Docket No. 97–113 (rel. April 6, 1998). Filings by paper can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, 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: Anne Goodwin Crump, Fletcher, Heald & Hildreth, P.L.C., 1300 North 17th Street, Eleventh Floor, Arlington, Virginia 22209 (Counsel for Pacifica Broadcasting Company).

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 04–192, adopted May 18, 2004, and released May 28, 2004. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 202–

863–2893, facsimile 202–863–2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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, Television.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 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 and 336.

##### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Hawaii is amended by removing DTV channel \*39c and adding DTV channel \*10c at Honolulu.

Federal Communications Commission.

**Barbara A. Kreisman,**

Chief, Video Division, Media Bureau.

[FR Doc. 04–13812 Filed 6–17–04; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 04–1416; MB Docket No. 04–202, RM–10985]

##### Radio Broadcasting Services; Tomahawk, WI

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division requests comments on a petition filed by Results Broadcasting of Rhinelander, Inc., proposing the allotment of Channel 265C3 at Tomahawk, Wisconsin, as the community's second local FM transmission service. Channel 265C3 can be allotted to Tomahawk in

compliance with the Commission's minimum distance separation requirements with a site restriction of 8.5 kilometers (5.3 miles) west-northwest to avoid a short-spacing to the licensed and construction permit sites of Station WOBE(FM), Channel 264C1, Crystal Falls, Michigan. The coordinates for Channel 265C3 at Tomahawk are 46–30–01 North Latitude and 89–49–50 West Longitude. Since Tomahawk is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been requested.

**DATES:** Comments must be filed on or before July 19, 2004, reply comments on or before August 3, 2004.

**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: Mark Blacknell, Esq., Womble, Carlyle, Sandridge & Rice, PLLC, 1401 Eye Street, NW., 7th Floor, Washington, DC 20005 (Counsel for Petitioner).

##### FOR FURTHER INFORMATION CONTACT:

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MB Docket No. 04–202, adopted May 26, 2004, and released May 28, 2004. 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 contractor, Qualex, International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20054, telephone 202–863–2893, facsimile 202–863–2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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, Radio broadcasting.  
For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 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 and 336.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Wisconsin, is amended by adding Channel 265C3 at Tomahawk.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04–13810 Filed 6–17–04; 8:45 am]

**BILLING CODE 6712–01–P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 04–1419; MB Docket No. 04–205, RM–10704; MB Docket No. 04–206, RM–10705]

**Radio Broadcasting Services; Islamorada, FL and Pioche, NV**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes new allotments in separate communities, Islamorada, Florida, and Pioche, Nevada. The Audio Division requests comment on a petition filed by Paul B. Christensen, proposing the allotment of Channel 283C2 at Islamorada, Florida, as the community's first local aural transmission service. Channel 283C2 can be allotted to Islamorada in compliance with the Commission's minimum distance separation requirements with a site restriction of site 0.9 kilometers (0.6 miles) southwest of the community. The reference coordinates for Channel 283C2 at Islamorada are 24–55–05 NL and 80–38–04 WL. The Audio Division also requests comments on a petition filed by Micah Shrewsberry proposing the allotment of Channel 268C1 at Pioche, Nevada, as the community's second local aural transmission service. Channel 268C1 can be allotted to Pioche in compliance with the Commission's minimum distance separation requirements without a site restriction. The reference coordinates for Channel

268C1 at Pioche are 37–55–58 NL and 114–27–04 WL. *See SUPPLEMENTARY INFORMATION, infra.*

**DATES:** Comments must be filed on or before July 19, 2004, and reply comments on or before August 3, 2004.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Paul B. Christensen, Esq., Law Offices of Paul B. Christensen, PA, 3749 Southern Hills Drive, Jacksonville, Florida 32225; Micah Shrewsberry, PO Box 1030, Greencastle, Indiana 46135.

**FOR FURTHER INFORMATION CONTACT:**

Victoria M. McCauley, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket Nos. 04–205 and 04–206, adopted May 26, 2004 and released May 28, 2004. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 202–863–2893, facsimile 202–863–2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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* contact. 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, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 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 and 336.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Florida, is amended by adding Islamorada, Channel 283C2.

3. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by adding Channel 268C1 at Pioche.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04–13811 Filed 6–17–04; 8:45 am]

**BILLING CODE 6712–01–P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 04–1282; MB Docket No. 02–177; RM–10489]

**Radio Broadcasting Services; Milano, TX**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal.

**SUMMARY:** At the request of David P. Garland, we dismiss his petition for rule making proposing the allotment of Channel 274A at Milano, Texas, as the community's first local aural transmission service. *See* FR 31597, July 19, 2002. We also dismiss the counterproposal filed by Roy E. Henderson proposing an upgrade from Channel 297A to Channel 297C3 at Caldwell, the reallocation of Channel 297C3 from Caldwell to Bedias, and related channel substitution and modified reference coordinates to accommodate the reallocation. The allotment of Channel 274A at Caldwell as a replacement service is not consistent with Section 73.315 of the Commission's Rules because it does not provide city grade coverage over the entire community. Accordingly, since counterproposals must be "technically correct and substantially complete" at the time they are filed, the counterproposal is deemed technically defective.

**FOR FURTHER INFORMATION CONTACT:**

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 02–177, adopted May 19, 2004, and released May 21, 2004. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference