

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Approximately 60 feet upstream of Brownlee Road <i>Matsunk Creek:</i> Approximately 120 feet upstream of confluence with Schuylkill River	*116 *69	Maps available for inspection at the Horry County Code Enforcement Office, 801 Main Street, Suite 121, Conway, South Carolina.	
Approximately 140 feet upstream of School Line Drive	*211	Sumter County (Unincorporated Areas) (FEMA Docket No. 7275) <i>Long Branch:</i> At U.S. Route 76/378	*174
<i>Gulph Mills Tributary A:</i> At confluence with Gulph Mills Creek	*154	To a point approximately 2,890 feet upstream of U.S. Route 76/378	*181
Approximately 80 feet upstream of Arden Road	*155	Maps available for inspection at the Planning and Zoning Department, 33 North Main Street, Sumter, South Carolina.	
<i>Gulph Mills Tributary B:</i> At confluence with Gulph Mills Creek	*161		
Approximately 65 feet upstream of Lantern Lane	*173		
Maps available for inspection at the Upper Merion Public Works Department, 175 West Valley Forge Road, King of Prussia, Pennsylvania.		VIRGINIA	
Wrightsville (Borough), York County (FEMA Docket No. 7275) <i>Susquehanna River:</i> At downstream corporate limits	*245	Luray (Town), Page County (FEMA Docket No. 7251) <i>Dry Run:</i> Approximately 100 feet downstream of U.S. Route 211 Bypass	*792
At upstream corporate limits	*247	Approximately 0.3 mile upstream of U.S. Route 211 Business Route	*873
<i>Kreutz Creek:</i> At confluence with Susquehanna River	*246	Maps available for inspection at the Luray Town Hall, 45 East Main Street, Luray, Virginia 22835.	
Approximately 180 feet downstream of State Route 624	*246	WISCONSIN	
Maps available for inspection at the Wrightsville Borough Office, 129 South 2nd Street, Wrightsville, Pennsylvania.		Blue River (Village), Grant County (FEMA Docket No. 7267) <i>Wisconsin River:</i> Approximately 1 mile downstream of East Street	*667
SOUTH CAROLINA		Approximately 0.2 mile upstream of East Street	*669
Horry County (Unincorporated Areas) (FEMA Docket No. 7259) <i>Eden Saltworks Creek:</i> At the end of Route 236, approximately 0.4 mile from its intersection with Little River Neck Road	*14	Maps available for inspection at the Community Building, 201 Clinton Street, Blue River, Wisconsin.	
Approximately 400 feet east of the most southeast end of Route 236	*13	Muscoda (Village), Grant and Iowa Counties (FEMA Docket No. 7271) <i>Wisconsin River:</i> Downstream corporate limits	*678
<i>Waccamaw River:</i> Approximately 5.8 miles downstream of Sea Gull Trail	*15	Upstream corporate limits	*680
Approximately 3.5 miles upstream of the confluence of Mill Swamp	*19	Maps available for inspection at the Muscoda Village Hall, 206 North Wisconsin Avenue, Muscoda, Wisconsin.	
<i>Socastee Creek:</i> Approximately 100 feet upstream of the mouth of the Intracoastal Waterway	*7		
At the CSX Transportation crossing	*24	(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.") Dated: April 21, 1999.	
<i>Cross Swamp:</i> Confluence with Socastee Creek	*24	Michael J. Armstrong, <i>Associate Director for Mitigation.</i> [FR Doc. 99-11525 Filed 5-6-99; 8:45 am]	
Approximately 650 feet downstream of U.S. Route 501	*24	BILLING CODE 6718-04-P	

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[MM Docket No. 97-233; RM-9162]

Radio Broadcasting Services; East Brewton, AL and Navarre, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document grants a Petition for Reconsideration of the *Report and Order* in this proceeding, 63 FR 64877 (November 24, 1998), and grants the request of 550-AM, the permittee of Station WGCX(FM), East Brewton, Alabama, to substitute Channel 239C3 for Channel 239A at East Brewton, reallocate Channel 239C3 to Navarre, Florida, and modify the license of Station WGCX accordingly. The new allotment to Navarre is preferred over the existing allotment at East Brewton because it will provide a first local transmission service to a more populous community. This document terminates the proceeding.

EFFECTIVE DATE: June 14, 1999.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 97-233, adopted April 30, 1999, and released April 30, 1999. The full text of this Commission decision will be available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, 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.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

2. Section 73.202(b), the Table of FM Allotments under Alabama, is amended by removing East Brewton, Channel 239A.

3. Section 73.202(b), the Table of Allotments under Florida, is amended by adding Navarre, Channel 239C3.

Federal Communications Commission.

Charles W. Logan,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 99-11500 Filed 5-6-99; 8:45 am]

BILLING CODE 6717-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 74

[MM Docket No. 97-234, GC Docket No. 92-52, and GEN Docket No. 90-264; FCC 99-74]

Implementation of Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses

AGENCY: Federal Communications Commission.

ACTION: Final rule; petitions for reconsideration.

SUMMARY: In this document, the Federal Communications Commission resolves numerous petitions for reconsideration filed against the Commission's earlier report and order in this proceeding that implemented provisions of the Balanced Budget Act of 1997 expanding the Commission's competitive bidding authority to include the commercial broadcast services. The document generally upholds the Commission's earlier determinations, but does amend the rules and procedures previously adopted with respect to the application of the general auction anti-collusion rule to broadcast service auctions and the eligibility standards for the new entrant bidding credit.

EFFECTIVE DATE: July 6, 1999.

FOR FURTHER INFORMATION CONTACT:

Jerianne Timmerman, Video Services Division, Mass Media Bureau at (202)418-1600; Lisa Scanlan, Audio Services Division, Mass Media Bureau at (202)418-2700; Lee Martin, Office of General Counsel at (202)418-1720.

SUPPLEMENTARY INFORMATION:

Summary

1. In this *Memorandum Opinion and Order* adopted April 15, 1999, and released April 20, 1999, the Federal Communications Commission resolves petitions for reconsideration of the rules and procedures adopted in the *First Report and Order*, 63 FR 48615 (September 11, 1998), to implement provisions of the Balanced Budget Act of 1997 expanding the Commission's competitive bidding authority to include the commercial broadcast services and the Instructional Television Fixed Service (ITFS). The *Memorandum*

Opinion and Order denies most issues presented in the petitions for reconsideration, but grants certain aspects of the petitions, most notably amending the applicability of the general anti-collusion rule to broadcast service auctions and refining the standards for applicants to qualify for the new entrant bidding credit.

Issues Pertaining to Pending Competing Applications

2. The *Memorandum Opinion and Order* upholds the Commission's determinations made in the *First Report and Order* with respect to pending competing full service commercial broadcast applications. Specifically, the *Memorandum Opinion and Order* denies reconsideration petitions: (1) challenging the Commission's decision to use auctions to decide among pending competing broadcast applications; (2) requesting the reimbursement of all expenses incurred by pending applicants who filed with the expectation that the Commission would use a comparative hearing to select among competing broadcast applications; (3) questioning the determination to defer until after the auction the resolution of basic qualifications issues raised against pending applicants; (4) challenging the determination that new Section 309(l) of the Communications Act permits the opening of a new filing window with respect to singleton analog television applications (with freeze waiver requests) filed by September 20, 1996; and (5) requesting some provision for a specific situation in which a competing applicant with interim operating authority has been allowed to operate a contested FM station for profit.

Filing and Other Procedural Issues

3. The *Memorandum Opinion and Order* upholds the Commission's determinations made in the *First Report and Order* regarding the following filing and procedural issues: (1) the utilization of a uniform window filing system for all auctionable broadcast services, including the FM translator and AM services; (2) allowing applicants the option of submitting a set of preferred site coordinates on their short-form applications (FCC Form 175) to participate in an FM auction; and (3) continuing to use for the filing of short-form applications in broadcast auctions the Wide Area Network utilized in previous Commission auctions for the filing of short-forms. In response to one petition, the *Memorandum Opinion and Order* extends from 10 to 15 days the filing period for petitions to deny against the long-form applications filed

by winning bidders for construction permits in the secondary broadcast services. The *Memorandum Opinion and Order* also clarifies the applicability of Section 1.2112(a) of the general Part 1 auction rules to broadcast transfer and assignment applications, so as to reduce the repetitive submission of similar ownership information.

Competitive Bidding Issues

4. With regard to competitive bidding issues, the *Memorandum Opinion and Order* rejects the assertion that the imposition of reserve prices or minimum opening bids is not in the public interest in the broadcast context, and declines to adopt a proposal to resolve any remaining competing June 1, 1998 low power television displacement applications by means of various suggested priorities. The *Memorandum Opinion and Order* also rejects the contention that the Commission should adopt a post-auction procedure where, upon petition by a winning bidder, the Commission would consider evidence that the winning bidder was the sole qualified applicant for a broadcast authorization, and, in cases in which such a demonstration was made that the unsuccessful competing bidders for that authorization were unqualified, the winning bidder should be relieved of its obligation to remit the payment of its winning bid.

5. A number of petitioners called for an exception to the general auction anti-collusion rule to allow, after the filing of short-form applications in broadcast auctions, an opportunity for negotiated settlements and/or for technical and engineering solutions to remove mutual exclusivities before proceeding to auction. Although the *Memorandum Opinion and Order* rejects the contention that the Commission is statutorily required to allow such a settlement opportunity prior to broadcast service auctions, it concludes that allowing the resolution of mutual exclusivities by engineering solutions or other means following the submission of short-form applications would serve the public interest in the secondary broadcast services, and in ITFS as well.

6. Several petitioners objected to various aspects of the new entrant bidding credit, which provides a tiered credit for broadcast auction winning bidders with no, or very few, other media interests. In response to these petitions, and to promote the clear and consistent application of the eligibility standards for the bidding credit, the *Memorandum Opinion and Order*: (1) amends the eligibility standards for the bidding credit to be consistent with the