

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA-1469, MM Docket No. 00-131, RM-9897]

#### Digital Television Broadcast Service; Dozier, AL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by. DTV Channel 11 can be allotted to Dozier, Alabama, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (31-33-16 N. and 86-23-32 W.). As requested, we propose to allot DTV Channel 11 to Dozier with a power of 1.0 and a height above average terrain (HAAT) of 487 meters.

**DATES:** Comments must be filed on or before September 18, 2000, and reply comments on or before October 3, 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: Marissa G. Repp, F. William LeBeau, Hogan & Hartson, L.L.P., 555 13th Street, NW., Washington, DC 20004-1106 (Counsel for Alabama Educational Television Commission).

**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. 00-131, adopted July 25, 2000, and released July 27, 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. 00-19227 Filed 7-28-00; 8:45 am]  
**BILLING CODE 6712-01-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018-AF92; RIN 1018-AF95

#### Endangered and Threatened Wildlife and Plants: Notice of Public Hearing on Critical Habitat for the Spectacled Eider and Steller's Eider

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; notice of public hearing.

**SUMMARY:** The Fish and Wildlife Service (Service) provides notice that a public hearing will be held on the proposed rules designating critical habitat for spectacled eider (*Somateria fischeri*) and Steller's eider (*Polysticta stelleri*). The spectacled eider and Steller's eider are found in marine waters and coastal wetlands in Alaska. All interested parties are invited to submit comments on these proposals.

**DATES:** The public hearing will begin at 7 p.m. Monday, August 28, 2000, in Barrow, Alaska.

**ADDRESSES:** The public hearing will be held at the Inupiat Heritage Center. Written data or comments on the spectacled eider should be submitted to the Field Supervisor, Ecological Services Field Office, Anchorage, U.S. Fish and Wildlife Service, 605 W. 4th Ave. Rm G-62, Anchorage, AK 99501; Fax: 907/271-2786. Written data or comments on the Steller's eider should be submitted to the Field Supervisor, Northern Alaska Ecological Services, 101 12th Ave., Rm 110, Fairbanks, AK, 99701.

**FOR FURTHER INFORMATION CONTACT:** For spectacled eiders contact Ann G. Rappoport, Field Supervisor, Ecological Services Field Office, Anchorage, U.S. Fish and Wildlife Service, 605 W. 4th Ave. Rm G-62, Anchorage, AK 99501; phone: 907/271-2787 or toll-free 800/272-4174; Fax: 907/271-2786. For Steller's eiders contact Ted Swem,

Endangered Species Branch, at Northern Alaska Ecological Services, 101 12th Ave., Rm 110, Fairbanks, AK, 99701; phone: 907/456-0203; fax: 907/456-0208.

#### SUPPLEMENTARY INFORMATION:

##### Background

The spectacled eider is a large seabird found in marine waters and coastal areas from the Nushagak Peninsula of southwestern Alaska north to Barrow and east nearly to the Canadian Border. The species may be threatened by habitat degradation, lead poisoning, increased predation rates, and hunting and other human disturbance. The Steller's eider is a seabird found in coastal and marine waters from the eastern Aleutian Islands around the western and northern coasts of Alaska to the Canada border. The Alaska-breeding population of this species is thought to have decreased significantly, but the causes of the suspected decline are unknown.

On February 8, 2000, the Service published a proposed rule to designate critical habitat for the spectacled eider under the Endangered Species Act of 1973, as amended. On March 13, 2000, the Service published a proposed rule to designate critical habitat for the Alaska-breeding population of the Steller's eider under the Endangered Species Act of 1973, as amended. Section 4(b)(5)(E) of the Act requires that a public hearing be held if requested within 45 days of the proposal's publication in the **Federal Register**. Public hearing requests were received within the allotted time period from George Ahmaogak, Sr., Mayor, North Slope Borough, P.O. Box 69, Barrow, Alaska, and Mr. Jacob Adams, President, Arctic Slope Regional Corporation, P.O. Box 129, Barrow, Alaska.

The Service has scheduled this hearing for August 28, 2000, 7:00 p.m., in Barrow, Alaska. Anyone wishing to make an oral statement for the record is encouraged to provide a written copy of their statement to be presented to the Service at the start of the hearing. Legal notices announcing the dates, time, and location of the hearing are being published in newspapers concurrently with the **Federal Register** notice. The Service has also scheduled the following public meetings in Alaska: Nuiqsut (August 21, 2000), Wainwright (August 23, 2000), Point Lay (August 24, 2000), and Atkasuk (August 25, 2000). Meetings will begin at 7:00 p.m. Hearing and meeting dates are subject to change depending on weather, flight schedules, and other local conditions.

Written comments may be submitted until August 31, 2000, to the appropriate Service office as specified in the **ADDRESSES** section. Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. In certain circumstances, we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you wish for us to withhold your name and/or address, you must state this request prominently at the beginning of your comment. However,

we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

The deadline for requesting public hearings on the proposed rule regarding critical habitat for the spectacled eider was March 24, 2000. The deadline for requesting public hearings for the proposed rule regarding critical habitat for Steller's eider was April 27, 2000. We have not extended these deadlines. In order to be considered valid, requests for public hearings must have been submitted in writing and received at the

appropriate office by the relevant deadline.

#### **Author**

The primary author of this notice is Susan Detwiler, U.S. Fish and Wildlife Service, Division of Endangered Species, 1011 E. Tudor Rd., Anchorage, AK 99503.

**Authority:** The authority of this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: July 21, 2000.

#### **David B. Allen,**

*Regional Director, Region 7, Fish and Wildlife Service.*

[FR Doc. 00-19183 Filed 7-28-00; 8:45 am]

**BILLING CODE 4310-55-P**