

providing service through a differently named subsidiary after an internal corporate restructuring, remains subject to all applicable conditions of service after an internal restructuring, such as rules governing slamming and tariffing.

9. Add § 63.04 to read as follows:

**§ 63.04 Filing procedures for domestic transfer of control applications**

(a) *Domestic Services Only.* A carrier seeking domestic section 214 authorization for transfer of control should file an application containing:

(1) The name, address and telephone number of each applicant;

(2) The government, state, or territory under the laws of which each corporate or partnership applicant is organized;

(3) The name, title, post office address, and telephone number of the officer or contact point, such as legal counsel, to whom correspondence concerning the application is to be addressed;

(4) The name, address, citizenship and principal business of any person or entity that directly or indirectly owns at least ten (10) percent of the equity of the applicant, and the percentage of equity owned by each of those entities (to the nearest one (1) percent);

(5) Certification pursuant to §§ 1.2001 through 1.2003 of this chapter that no party to the application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988. *See* 21 U.S.C. 853.

(6) A description of the transaction;

(7) A description of the geographic areas in which the transferor and transferee (and their affiliates) offer domestic telecommunications services, and what services are provided in each area;

(8) A statement as to how the application fits into one or more of the presumptive streamlined categories in this section or why it is otherwise appropriate for streamlined treatment;

(9) Identification of all other Commission applications related to the same transaction;

(10) A statement of whether the applicants are requesting special consideration because either party to the transaction is facing imminent business failure;

(11) Identification of any separately filed waiver requests being sought in conjunction with the transaction; and

(12) A statement showing how grant of the application will serve the public interest, convenience and necessity, including any additional information that may be necessary to show the effect of the proposed transaction on competition in domestic markets.

(b) *Domestic/International Applications for Transfers of Control.*

Where an applicant wishes to file a joint international section 214 transfer of control application and domestic section 214 transfer of control application, the applicant should submit information that satisfies the requirements of § 63.18, which specifies the contents of applications for international authorizations, together with filing fees that satisfy (and are in accordance with filing procedures applicable to) both §§ 1.1105 and 1.1107 of this chapter. In an attachment to the international application, the applicant should submit the information described in paragraphs (a)(6) through (a)(12) of this section.

[FR Doc. 02-9101 Filed 4-16-02; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02-786, MM Docket No. 00-124, RM-9893]

#### Digital Television Broadcast Service; Bryan, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of KWTX/KBTX License Corporation, licensee of station KBTX-TX, Bryan, Texas, substitutes DTV channel 50 for DTV channel 59 at Bryan. *See* 66 FR Rcd 21193 (2001). DTV channel 50 can be allotted to Bryan in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 30-33-16 N. and 96-01-51 W. with a power of 1000, HAAT of 477 meters and with a DTV service population of thousand.

With is action, this proceeding is terminated.

**DATES:** Effective May 30, 2002.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 00-124, adopted April 8, 2002, and released April 15, 2002. 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. This document may also be purchased from the Commission's duplicating contractor,

Qualex International, Portals II, 445 12th Street., SW, CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

### List of Subjects in 47 CFR Part 73

Television, Digital television broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

### PART 73—[AMENDED]

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

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

### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Texas, is amended by removing DTV channel 59 and adding DTV channel 50 at Bryan.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 02-9278 Filed 4-16-02; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02-785, MM Docket No. 02-3, RM-10349]

#### Digital Television Broadcast Service; Lakin, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Smoky Hills Public Television, licensee of noncommercial educational station KSWK-T, NTSC channel \*3, Lakin, Kansas, substitutes DTV channel \*8 for DTV channel \*23 at Lakin. *See* 67 FR 4941, February 1, 2002. DTV channel \*8 can be allotted to Lakin, Kansas, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (37-49-38 N. and 101-06-35 W.) with a power of 100, HAAT of 141 meters and with a DTV service population of 101 thousand. With this action, this proceeding is terminated.

**DATES:** Effective May 30, 2002.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 02-3, adopted April 8, 2002, and released April 15, 2002. 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. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

#### List of Subjects in 47 CFR Part 73

Television, Digital television broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

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

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

#### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Kansas, is amended by removing DTV channel \*23 and adding DTV channel \*8 at Lakin.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 02-9277 Filed 4-16-02; 8:45 am]

**BILLING CODE 6712-01-P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

#### 50 CFR Part 223

[Docket No. 991007270-2042-02; I.D. 090399E]

**RIN 0648-AM89**

#### Sea Turtle Conservation; Summer Flounder Trawling Requirements

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

**ACTION:** Final rule.

**SUMMARY:** NMFS adopts as final, without change, an interim final rule that amends the regulations that require summer flounder trawlers to use Turtle Excluder Devices (TEDs) in waters off Virginia and North Carolina to reduce the incidental capture of endangered and threatened sea turtles. NMFS is requiring that any approved hard TED or special TED installed in a summer flounder trawl be installed in a TED extension (a cylinder of webbing in which the TED is installed). NMFS also is providing specifications for the TED extension and requiring that it be constructed of webbing no larger than 3.5-inch (8.9 cm) stretched mesh. The intent of this final rule is to prevent adverse impacts to turtles in the course of summer flounder trawling.

**DATES:** This final rule is effective May 17, 2002.

**ADDRESSES:** Requests for a copy of the environmental assessment (EA) prepared for the interim final rule should be addressed to the Chief, Endangered Species Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

#### FOR FURTHER INFORMATION CONTACT:

David M. Bernhart (ph. 727-570-5312,

fax 727-570-5517, e-mail [David.Bernhart@noaa.gov](mailto:David.Bernhart@noaa.gov)).

**SUPPLEMENTARY INFORMATION:** Through an interim final rule published October 15, 1999 (64 FR 55860), NMFS amended 50 CFR part 223 to require that an approved hard TED or special hard TED installed in a summer flounder trawl be installed in a TED extension. The interim final rule provided specifications for the length and webbing size of the required extension. The rationale for the regulatory amendment was provided in the preamble to the interim final rule and is not repeated here. Comments were requested. No comments were received.

#### Classification

NMFS prepared an EA for the interim final rule which concluded that the rule would have no significant impact on the human environment. A copy of the EA is available (*see ADDRESSES*).

This final rule has been determined to be not significant for purposes of Executive Order 12866.

Because prior notice and comment were not required for the interim final rule or this final rule by U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

This final rule does not contain a collection-of-information requirement for purposes of the Paperwork Reduction Act.

Accordingly, the interim final rule amending 50 CFR part 223 that was published at 64 FR 55860 on October 15, 1999, is adopted as final without change.

**Authority:** 16 U.S.C. 1531, *et seq.*

Dated: April 10, 2002.

**Rebecca Lent,**

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

[FR Doc. 02-9353 Filed 4-16-02; 8:45 am]

**BILLING CODE 3510-22-S**