

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MB Docket No. 04-319, adopted August 10, 2004, and released August 12, 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, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20054.

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 Kentucky, is amended by adding Channel 221C3 and by removing Channel 276A at Coal Run.

3. Section 73.202(b), the Table of FM Allotments under Virginia, is amended by adding Channel 276A and by removing Channel 221A at Clinchco.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04-19025 Filed 8-18-04; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 04-2498; MB Docket No. 04-316; RM-11047]

#### Radio Broadcasting Services; Morrison and Sparta, TN

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document sets forth a proposal to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, 47 CFR 73.202(b). The Audio Division requests comment on a petition and amendment to petition filed by Clear Channel Broadcasting Licenses, Inc., licensee of Station WRKK-FM, Channel 288A, Sparta, Tennessee. Petitioner proposes to delete Channel 288A at Sparta, Tennessee, to allot Channel 287A at Morrison, Tennessee, and to modify the license of Station WRKK-FM accordingly. The coordinates for Channel 287A at Morrison are 35-37-27 North Latitude and 85-53-37 West Longitude. See **SUPPLEMENTARY INFORMATION** infra.

**DATES:** Comments must be filed on or before October 4, 2004, and reply comments on or before October 19, 2004.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the petitioner and counsel for Clear Channel Broadcasting Licenses, Inc., as follows: Gregory L. Masters, Evan S. Henschel, Wilen Rein & Fielding LLP, 1776 K Street, NW., Washington, DC 20006.

**FOR FURTHER INFORMATION CONTACT:** Deborah A. Dupont, Media Bureau (202) 418-7072.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Further Notice of Proposed Rule Making, MB Docket No. 04-316, adopted August 10, 2004 and released August 12, 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, Best Copy and Printing, Inc., 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, (800) 378-3160, or via the company's Web site, <http://www.bcpweb.com>.

The 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 Tennessee, is amended by adding Morrison, Channel 287A and by removing Sparta, Channel 288A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04-19026 Filed 8-18-04; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 04-2499; MB Docket No. 04-317, RM-11004]

#### Radio Broadcasting Services; Center, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division requests comments on two petitions filed by Team Broadcasting Company, Inc., and Charles Crawford, proposing the allotment of Channel 248A at Center, Texas, as the community's second local FM transmission service. Channel 248A can be allotted to Center in compliance with the Commission's minimum distance separation requirements with a

site restriction of 12.5 kilometers (7.8 miles) southeast to avoid a short-spacing to the proposed allotment site for Channel 247C2 at Longview, Texas. The coordinates for Channel 248A at Center are 31–42–51 North Latitude and 94–05–13 West Longitude.

**DATES:** Comments must be filed on or before October 4, 2004, reply comments on or before October 19, 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 N. Lipp, Esq., Law Offices of Vinson & Elkins, L.L.P., The Willard Office Building, 1455 Pennsylvania Ave., NW., Washington, DC. 20004–1008, (Counsel for Team Broadcasting Co., Inc.); and Charles Crawford, 4553 Bordeaux Ave., Dallas, Texas 75205 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Media Bureau, (202) 418–2180.

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Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

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#### 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 Texas, is amended by adding Channel 248A at Center.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04–19028 Filed 8–18–04; 8:45 am]

**BILLING CODE 6712–01–P**

### DEPARTMENT OF THE INTERIOR

#### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018–AT57

#### Endangered and Threatened Wildlife and Plants; Reopening of the Public Comment Period and Notice of Public Hearings for the Proposed Designation of Critical Habitat for the Santa Ana Sucker

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

**ACTION:** Proposed rule; reopening of public comment period and notice of public hearings.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce that we are reopening a 30-day public comment period and holding public hearings on the proposed designation of critical habitat for the Santa Ana sucker (*Catostomus santaanae*). Comments previously submitted on the February 26, 2004, proposed rule (69 FR 8911) need not be resubmitted as they have been incorporated into the public record and will be fully considered in the final decision.

**DATES:** The public comment period for this proposed designation of critical habitat is now reopened, and we will accept comments and information until 5 p.m. PST on September 20, 2004.

The public hearings on the proposed designation will be held on September 9, 2004, from 1 p.m. to 3 p.m. and from 6 p.m. to 8 p.m. in Pasadena, California.

**ADDRESSES:** The public hearings will be held at the Pasadena Hilton, 168 S. Los Robles Ave., Pasadena, California.

Written comments and materials may be submitted to us by one of the following methods:

1. You may submit written comments and information to the Field Supervisor,

Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92009.

2. You may hand-deliver written comments and information to our Carlsbad Fish and Wildlife Office at the above address, or fax your comments to (760) 431–9618.

3. You may send comments by electronic mail (e-mail) to *fw1sasu@r1.fws.gov*. Please see the Public Comments Solicited section below for file format and other information about electronic filing.

Comments and materials received, as well as supporting documentation used in preparation of the proposed critical habitat rule for the Santa Ana sucker will be available for public inspection, by appointment, during normal business hours at the above address. Any comments received after the closing date may not be considered in the final decisions on this action. You may obtain copies of the proposed critical habitat designation by contacting the Carlsbad Fish and Wildlife Office at the above address.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jim Bartel, Field Supervisor, Carlsbad Fish and Wildlife Office, at the above address (telephone (760) 431–9440; facsimile (760) 431–9618).

#### SUPPLEMENTARY INFORMATION:

##### Public Comments Solicited

We solicit comments or suggestions from the public, other concerned governmental agencies, Tribes, the scientific community, industry, or any other interested parties concerning our proposed designation of critical habitat for the Santa Ana sucker. We particularly seek comments concerning:

(1) The reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act, including whether the benefit of designation will outweigh any threats to the species due to designation;

(2) Specific information on the amount and distribution of Santa Ana sucker habitat, and what habitat is essential to the conservation of the species and why;

(3) Land use designations and current or planned activities in the subject areas and their possible impacts on proposed critical habitat;

(4) Any foreseeable economic, national security, or other potential impacts resulting from the proposed designation and, in particular, any impacts on small entities; and

(5) Whether our approach to designating critical habitat could be improved or modified in any way to provide for greater public participation