

this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all Paperwork Reduction Act (PRA) comments to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to *Judith-B.Herman@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith B. Herman at 202-418-0214 or via the Internet at *Judith-B.Herman@fcc.gov*.

**SUPPLEMENTARY INFORMATION:** OMB Control Number: 3060-1064.

*Title:* Regulatory Fee Assessment Notifications.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit, not-for-profit institutions, and State, local or tribal government.

*Number of Respondents:* 1,130.

*Estimated Time per Response:* .25 hours (15 minutes).

*Frequency of Response:* On occasion reporting requirement.

*Total Annual Burden:* 283 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* Each year the Commission collects Congressionally-mandated regulatory fees from its regulates based on a schedule of fees that it establishes in an annual rulemaking proceeding. In the past years, the Commission pulled licensee addresses from its databases and mailed to these licensees Public Notices that (1) announced when regulatory fees are due; and (2) provided guidance for making fee payments. For the FY 2004 regulatory season, the Commission is going to send fee assessments to cable TV operators, media services licensees, and commercial mobile radio service (CMRS) licensees so that they have an opportunity to counter, update or rectify basic license data and assessed fee amounts well before the actual due date for submission or regulatory fee payments. We will use the information to update our database.

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

[FR Doc. 04-19141 Filed 8-19-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[MB Docket No. 04-191; FCC 04-114]

### San Francisco Unified School District

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document designates the application of the San Francisco Unified School District for renewal of license of KALW(FM), San Francisco, California, for an evidentiary hearing on issues relating to its qualifications to remain a Commission licensee.

**DATES:** Petitions by persons desiring to participate as a party in the hearing may be filed not later than September 20, 2004. See **SUPPLEMENTARY INFORMATION** section for dates that named parties should file appearances.

**ADDRESSES:** Please file documents with the Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, Room 3-B443, 445 12th Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** James Shook, Special Counsel, Investigations and Hearings Division, Enforcement Bureau at (202) 418-1448; Dana E. Leavitt, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau at (202) 418-1317; or Michael Wagner, Assistant Chief, Audio Division, Media Bureau at (202) 418-2775.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Hearing Designation Order, FCC04-114, released July 16, 2004. The full text of the Hearing Designation Order 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 20554. The complete text may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418-0260 or TTY (202) 418-2555.

### Synopsis of the Order

1. The San Francisco Unified School District ("SFUSD") timely applied for license renewal for its station KALW(FM) on August 1, 1997. Golden Gate Public Radio filed a petition to deny that application on November 3, 1997, alleging both substantive rule violations and misrepresentations. Specifically, Golden Gate PUBLIC Radio

alleged that SFUSD failed to adequately maintain its local public inspection file by failing to include in the file supplemental ownership reports and issues/programs lists as required by 47 CFR 73.3527 while knowingly certifying in the license renewal application that all these reports and lists were contained in the file. Similarly, Golden Gate Public Radio allege that the licensee failed to comply with the Commission's Equal Employment Opportunity requirements then in effect, while certifying in its renewal application that it had done so. San Francisco Unified School District, in opposition, argued that (1) Golden Gate Public Radio did not establish a substantial and material question of fact to warrant designation of the KALW(FM) license renewal application for hearing.

2. Initially, the Commission Bureau has reviewed the Golden Gate Public Radio petition and found several procedural infirmities: the petitioner did not demonstrated standing to challenge the renewal application, and the petition was neither properly served on SFUSD nor properly verified under the Commission's rules. The Commission therefore treated the filing as an informal objection rather than as a formal petition to deny.

3. Upon reviewing of the record in this case—primarily the Golden Gate Public Radio petition and San Francisco Unified School District's response to two staff inquiries—the Commission found that the KALW(FM) public inspection file did not contain all of the requisite supplemental ownership reports and quarterly issues/programs lists when the subject renewal application was filed. Additionally, the Commission stated that it appeared that several staff members advised KALW(FM)'s station management that the public file was incomplete, which advice the station management either disbelieved or disregarded. Thus, the Commission found both that SFUSD made a false certification with respect to the contents of the KALW(FM) public inspection file in the renewal application, and that Golden Gate Public Radio had raised a substantial and material question of fact concerning whether San Francisco Unified School District intended to deceive the Commission in making that false certification. The Commission therefore designated the KALW(FM) license renewal application for evidentiary hearing, specifying the following false certification and misrepresentation issues:

1. To determine whether San Francisco Unified School District falsely

certified its application with respect to the completeness of the KALW(FM) public inspection file and the effect thereof on its qualifications to be a Commission licensee.

2. To determine whether San Francisco Unified School District made misrepresentations of fact or was lacking in candor and/or violated Section 73.1015 of the Commission's Rules with regard to its certification in the subject license renewal application that it had placed in the KALW(FM) public inspection file at the appropriate times the documentation required by Section 73.3527, and the effect thereof on its qualifications to be a Commission licensee.

3. To determine, in light of the evidence adduced pursuant to the specified issues, if the captioned application for renewal of license for station KALW(FM) should be granted.

4. Additionally, Golden Gate Public Radio argued that the licensee SFUSD falsely certified that it complied with the Commission Equal Employment Opportunity requirements in effect at the time the renewal application was filed. The Commission Equal Employment Opportunity program requirements at issue in this case were declared unconstitutional by the Court of Appeals for the District of Columbia Circuit in 1998. Nevertheless, those requirements were in effect during the KALW(FM) license term here, as well as when the subject renewal application was filed, and applicants are not excused from accurately representing their compliance with those rules by their subsequent invalidation. The Commission found that there may have been minor deficiencies in the dissemination of San Francisco Unified School District's Equal Employment Opportunity program during the subject license term, and thus its representations in the KALW(FM) renewal application regarding the station's compliance with the Commission's Equal Employment Opportunity rules and policies appeared to be incorrect. The Commission finds, however, that the evidence presented by Golden Gate Public Radio and the record as a whole are insufficient to raise a substantial and material question as to whether San Francisco Unified School District intended to deceive the Commission by making a false certification regarding its compliance with the Commission's then-existing Equal Employment Opportunity rules. The Commission nevertheless cautioned the licensee that it should exercise more care in the future to ensure that the information it submits to the Commission is accurate, because a false

statement, even absent an intent to deceive, may constitute a violation of 47 CFR 1.17.

5. Copies of this Order, are to be sent by certified mail, return receipt requested, to the parties and counsel. To avail themselves of the opportunity to be heard, Golden Gate Public Radio and San Francisco Unified School District to 47 CFR 1.221, in person or by their respective attorneys, must within twenty (20) days of the mailing of the Order, file in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order. San Francisco Unified School District pursuant to 47 CFR 73.3594, shall give notice of the hearing within the time and in the manner prescribed in 47 CFR 73.3594, and shall advise the Commission of the publication of such notice as required by 47 CFR 73.3594(g).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-19144 Filed 8-19-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2669]

### Petition for Reconsideration and Clarification of Action in Rulemaking Proceeding

August 10, 2004.

Petition for Reconsideration and Clarification has been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing an copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to this petition must be filed by September 7, 2004. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of the Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Practices (MM Docket No. 98-204)

*Number of Petitions Filed:* 1.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-19145 Filed 8-19-04; 8:45 am]

**BILLING CODE 4712-01-M**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 8:02 a.m. on Monday, August 16, 2004, the Board of Directors of the Federal Deposit Insurance Corporation met in open session to consider the following matters:

Summary reports, status reports, and reports of actions taken pursuant to authority delegated by the Board of Directors.

Memorandum and resolution re: Notice of Proposed Rulemaking—Community Reinvestment Act Regulations.

In calling the meeting, the Board determined, on motion of Director James E. Gilleran (Office of Thrift Supervision), seconded by Vice Chairman John C. Reich, and concurred in by Chairman Donald E. Powell, with Director Thomas J. Curry and Director John D. Hawke, Jr. (Comptroller of the Currency) opposing; that Corporation business required its consideration of the matters on less than seven days' notice to the public; and that no earlier notice of the meeting than that previously provided on August 12, 2004, was practicable.

The meeting was held in the Board Room of the FDIC Building located at 550 17th Street, NW., Washington, DC.

Dated: August 16, 2004.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. E4-1850 Filed 8-19-04; 8:45 am]

**BILLING CODE 6714-01-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are