(d) The Corporation shall promptly notify the Treasury to correct Corporation data submitted when it:

(1) Determines that an error has been made with respect to a debt that has been referred;

(2) Receives or credits a payment on the debt; or

(3) Receives notice that the person owing the debt has filed for bankruptcy under Title 11 of the United States Code or has been adjudicated bankrupt and the debt has been discharged.

(e) When advising debtors of an intent to refer a debt to the Treasury for offset, the Corporation will also advise the debtors of remedial actions available to defer or prevent the offset from taking place.

Subpart D—Administrative Offset

§ 2506.40 Under what circumstances will the Corporation collect amounts that I owe to the Corporation (or some other federal agency) by offsetting the debt against payments that the Corporation (or some other federal agency) owes me?

(a) The regulations in this subpart apply to the collection of any debts you owe to the Corporation, or to any request from another federal agency that the Corporation collect a debt you owe by offsetting your debt against a payment the Corporation owes you. Administrative offset is authorized under section 5 of the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3716). The Corporation shall carry out administrative offset in accordance with the provisions of the Federal Claims Collection Standards; the regulations in this subpart are intended only to supplement the provisions of the Federal Claims Collection Standards.

(b) The Chief Executive Officer, after attempting to collect a debt you owe to the Corporation under section 3(a) of the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711(a)), may collect the debt by administrative offset, subject to the following:

(1) The debt you owe is certain in amount; and

(2) It is in the best interest of the Corporation to collect your debt by administrative offset because of the decreased costs of collection and acceleration in the payment of the debt.

(c) The Chief Executive Officer may initiate administrative offset with regard to debts you owe to another federal agency. The head of the creditor agency, or his or her designee, must submit a written request for the offset with a certification that the debt exists and that you have been afforded the necessary due process rights.

(d) The Chief Executive Officer may request another federal agency that holds funds payable to you to instead pay those funds to the Corporation in settlement of your debt. The Corporation will provide certification that:

(1) The debt exists; and

(2) You have been afforded the necessary due process rights.

(e) No collection by administrative offset will be made on any debt that has been outstanding for more than 10 years unless facts material to the Corporation or a federal agency's right to collect the debt were not known, and reasonably could not have been known, by the official or officials responsible for discovering and collecting the debt.

(f) The regulations in this subpart do not apply to:

(1) A case in which administrative offset of the type of debt involved is explicitly provided for or prohibited by another statute; or

(2) Debts owed to the Corporation by federal agencies or by any State or local government.

§ 2506.41 How will the Corporation request that my debt to the Corporation be collected by offsetting against some payment that another federal agency owes me?

The Chief Executive Officer may request that funds due and payable to you by another federal agency instead be paid to the Corporation in payment of a debt you owe to the Corporation. In requesting administrative offset, the Corporation, as creditor, will certify in writing to the federal agency that is holding funds for you:

(a) That you owe the debt;

(b) The amount and basis of the debt; and

(c) That the Corporation has complied with the requirements of 31 U.S.C. 3716, its own administrative offset regulations in this subpart, and the applicable provisions of the Federal Claims Collection Standards with respect to providing the debtor with due process.

§ 2506.42 What procedures will the Corporation use to collect amounts I owe to a federal agency by offsetting a payment that the Corporation would otherwise make to me?

Any federal agency may request that the Corporation administratively offset funds due and payable to you in order to collect a debt you owe to that agency. The Corporation will initiate the requested offset only:

(a) Upon receipt of written certification from the creditor agency stating:

(1) That you owe the debt;

(2) The amount and basis of the debt;

(3) That the agency has prescribed regulations for the exercise of administrative offset; and

(4) That the agency has complied with its own administrative offset regulations and with the applicable provisions of the Federal Claims Collection Standards, including providing you with any required hearing or review; and

(b) Upon a determination by the Chief Executive Officer that offsetting funds payable to you by the Corporation in order to collect a debt owed by you would be in the best interest of the United States as determined by the facts and circumstances of the particular case, and that such an offset would not otherwise be contrary to law.

§ 2506.43 When may the Corporation make an offset in an expedited manner?

The Corporation may effect an administrative offset against a payment to be made to you before completion of the procedures required by §§ 2506.41 and 2506.42 if failure to take the offset would substantially jeopardize the Corporation's ability to collect the debt and the time before the payment is to be made does not reasonably permit the completion of those procedures. An expedited offset will be promptly followed by the completion of those procedures. Amounts recovered by offset, but later found not to be owed to the Corporation, will be promptly refunded.

Dated: January 15, 1999.

Kenneth L. Klothen,

General Counsel.

[FR Doc. 99–1769 Filed 1–27–99; 8:45 am]

BILLING CODE 6050–28–U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 74

[MM Docket No. 87–268; FCC 98–315]

Advanced Television Systems and Their Impact Upon the Existing Television Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has adopted a *Second Memorandum Opinion and Order* (*Second MO&O*) addressing petitions for reconsideration of the *Memorandum Opinion and Order on Reconsideration of the Fifth Report and Order* (*Service Reconsideration Order*) and the *Memorandum Opinion and Order on Reconsideration of the Sixth*

Report and Order (*Allotment Reconsideration Order*) in this proceeding. This *Second MO&O* generally reaffirms the Commission's DTV eligibility and allotment policies. The Commission is, however, revising and clarifying certain of its DTV allotment policies in response to petitioners' requests. These actions will resolve the remaining issues regarding our policies and rules for DTV and analog (NTSC) channel allotments.

DATES: Effective March 1, 1999.

FOR FURTHER INFORMATION CONTACT: Bruce Franca (202–418–2470), Alan Stillwell (202–418–2470) or Robert Eckert (202–428–2470), Office of Engineering and Technology.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders* (*Second MO&O*) in MM Docket No. 87–268, FCC 98–315, adopted November 24, 1998, and released December 18, 1998. The full text of this decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, N.W., Washington, D.C. The complete text of this decision also may be purchased from the Commission's duplicating contractor, International Transcription Service, 1231 20th Street, N.W., Washington, D.C. 20036, (202–857–3800).

Summary of the Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders

1. In the *Second MO&O,* the Commission has affirmed, with some minor modifications and clarifications, its *Memorandum Opinion and Order on Reconsideration of the Fifth Report and Order* (*Service Reconsideration Order*) in MM Docket No. 87–268, FCC 98–23, adopted February 17, 1998, 63 FR 15774 (April 1, 1998), and its *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order* (*Allotment Reconsideration Order*) in MM Docket No. 87–268, adopted February 17, 1998, FCC 98–24, 63 FR 13546 (March 3, 1998). In the *Service Reconsideration Order,* the Commission addressed petitions for reconsideration of its eligibility standards for the initial DTV channels and other rules and procedures for broadcasters to convert to digital television (DTV) service. In the *Allotment Reconsideration Order,* the Commission addressed petitions for reconsideration of its decisions on a Table of Allotments for digital television (DTV) service, policies and rules for the initial DTV allotments, procedures for assigning those allotted channels, and plans for spectrum recovery.

2. The Commission revised and clarified certain of its DTV allotment policies in response to petitioners' requests. First, in response to a petition from Fox Broadcasting Company, the Commission modified its policy temporarily restricting requests for maximization of UHF DTV station power to 200 kW to provide flexibility for DTV licensees to request higher power, up to the 1000 kW maximum, where certain conditions are met. The Commission found that the 200 kW cap may not be needed in all situations and that it is desirable to permit immediate full maximization to 1000 kW in situations where such changes would not affect the maximization plans of others. The Commission indicated that the following provisions will apply to applications proposing such power increases that would increase a station's DTV service area in one or more directions beyond the area resulting from the station's allotment parameters. Such requests must include an interference analysis that demonstrates compliance with the *de minimis* interference standard set forth in § 73.623(c)(2) of the rules. This interference analysis must be performed assuming that all other DTV facilities are operating at the DTV power levels specified for their allotment, or 200 kW, whichever is greater, and at the allotted site and antenna height above average terrain. All such applications will be placed on public notice and interested parties will be allowed 30 days to file objections. A party may object to such requests where the change would impact its future plans to maximize its own DTV operations, *i.e.*, to an extent greater than could be achieved at a power level of 200 kW. Upon the filing of an objection to a maximization application, the affected parties will be allowed 30 days to resolve the conflict. In the event the parties are unable to resolve their differences, the application will be dismissed and the applicant will be allowed to resubmit the application with a request for no more than 200 kW ERP. These policies will apply both to future applications and applications now on file at the Commission.

3. The Commission also clarified its policy with respect to pending applications to modify existing analog, or NTSC, television facilities. Several petitioners argued that the Commission's treatment of applications for modification of NTSC facilities and new NTSC applications is disparate and unfair. They observed that in the *Allotment Reconsideration Order* the Commission stated that service replication of DTV allotments is based on facilities authorized as of April 3, 1997, and that it refused requests to process all pending NTSC modification applications and grant them full DTV service replication of the modified facility. In contrast to this decision, they observe that in the *Service Reconsideration Order* the Commission stated that applications for new NTSC facilities that were pending as of April 3, 1997, would be processed and that the grantees could operate either a digital or analog station prior to conversion. These petitioners argued that all applications pending as of April 3, 1997, whether for new or modified NTSC facilities, should be treated the same. The Commission explained that its actions with respect to modification applications granted before the DTV Table were evaluated based on the same criteria that will be applied in evaluating other NTSC modification applications and did not compromise either its DTV allotment goals or opportunities for increasing the NTSC or DTV facilities of other stations, and therefore its treatment of all such applications is fair and equitable.

4. The Commission advised interested parties that in processing the remaining pending applications for modification of NTSC facilities, it will consider the impact of the proposed change on the service area of any affected DTV station as computed from the location and facilities specified in the *Second MO&O,* or any increases in facilities authorized subsequent to those established in Appendix B. The Commission further advised applicants that, to the extent it grants applications for modifications of NTSC facilities, it will not automatically increase the facilities of the associated DTV channel to replicate the new NTSC service area. In this regard, the Commission stated that it is concerned that increasing DTV facilities in this manner could result in significant new interference to either or both NTSC stations or other DTV stations. Accordingly, if parties with pending applications for NTSC modifications also desire to have their DTV facilities modified, they must submit a separate application for modification of the DTV station. Such applications for DTV station modifications will be evaluated under the criteria set forth in §§ 73.622 and 73.623 of the rules.

5. The Commission next clarified its policy with respect to protection of allotments for proposed new NTSC stations. A number of petitioners that had filed applications for new NTSC stations within areas covered by the

Commission's 1987 *Order* (*Freeze Order*) freezing acceptance of applications for new television stations in certain congested areas sought reconsideration to ensure that allotments will be available for their applications. These petitioners argued that, in the *Sixth Report and Order* in the DTV proceeding, the Commission indicated that it would continue to process applications filed on or before September 20, 1996, because it did not believe that those applications would have a significant negative impact on the DTV Table. They further contended that in the *Allotment Reconsideration Order* the Commission confirmed that it intended to protect pending NTSC applications filed by this deadline. These parties argued that in the *Allotment Reconsideration Order* the Commission made clear for the first time that applications not accepted for filing were not protected and that to the extent that a conflicting DTV allotment has been made, it did not plan to allot a replacement channel for those applications. They stated that the Commission did not provide an explanation for not protecting the allotments sought in their applications.

6. In reviewing the petitioners' requests for reconsideration, the Commission found that these parties appeared to misunderstand its policy with respect to applications for new NTSC stations that were filed on or before September 20, 1996, as that policy applies to applications for new stations at locations within areas covered by the 1987 *Freeze Order*. The Commission indicated that its policy of maintaining and protecting vacant NTSC allotments that are the subject of pending applications applied only to applications for new NTSC stations outside of the freeze areas. It stated that it did not consider applications within the freeze areas to be pending and did not protect such applications by avoiding the creation of DTV allotments that would conflict with the new NTSC stations they propose. In this regard, the Commission noted that it had indicated previously, in the *Sixth Further Notice* in the DTV proceeding, that it would continue its longstanding policy of considering requests for waiver of the *Freeze Order* on a case-by-case basis. The Commission noted that if all vacant allotments were protected, it would not be possible to accommodate all existing broadcasters and the expected service areas of many of the DTV allotments would be reduced.

7. The Commission did, however, indicate that it found it desirable to provide applicants seeking to operate new NTSC stations in the freeze areas with options to pursue their applications wherever such options would not conflict with NTSC or DTV stations (including DTV allotments, authorized or requested increases in DTV allotment facilities and proposals for new or modified DTV allotments). In this regard, it adopted the suggestion of several of the petitioners that it allow parties whose NTSC applications conflict with DTV stations to request a change in the NTSC channel they seek or to amend their application to eliminate all such conflicts. The Commission agreed that where an alternate NTSC channel below channel 60 is available, it would provide a win-win solution in avoiding interference to DTV service and allowing the public to receive additional television service. The Commission therefore stated that in a subsequent Public Notice, its Mass Media Bureau will announce a window of time during which such petitions to amend the NTSC Table of Allotments or amendments to freeze-waiver applications may be filed. Parties that had filed applications for new NTSC stations using allotments in the freeze areas will be permitted to amend their applications if such amendment would eliminate interference to DTV service predicted using the criteria set forth in § 73.623(c) of the rules. Such amendments may include changes in the ERP, directional antenna pattern, antenna height or site location requested in the application, but the amendment must conform to pertinent NTSC requirements. The application amendment may also specify DTV operation.

8. In response to an *ex parte* request from the Dispatch Broadcast Group (Dispatch), the Commission modified its operating requirements for DTV stations to provide licensees with greater flexibility in scheduling their DTV operations in the early phases of the DTV implementation process. In particular, the Commission modified its rules to allow stations, both commercial and noncommercial, that voluntarily commence DTV service early full flexibility in determining the schedule on which they operate their DTV service, and thereafter to require that they operate in accordance with the existing requirement that they must provide at least one free over-the-air DTV video program at no charge to viewers, at any time their associated NTSC stations are operating.

9. Finally, the Commission make several adjustments to the DTV Table in response to requests of individual petitioners. The revised DTV Table and associated technical parameters for station operation are available for inspection on the internet at *www.fcc.gov* and at the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554 during regular business hours.

Procedural Matters

10. *Paperwork Reduction Act of 1995 Analysis.* This *Second MO&O* has been analyzed with respect to the Paperwork Reduction Act of 1995, Public Law No. 104–13, and found to impose no new or modified information collection requirements on the public.

11. *Supplemental Final Regulatory Flexibility Analysis.* With respect to this *Second MO&O*, the Commission has prepared a Supplemental Final Regulatory Flexibility Analysis, under the Regulatory Flexibility Act, of the possible significant economic impact on small entities of the rules in this document. None of the petitions for reconsideration of the *Service Reconsideration Order* or the *Allotment Reconsideration Order* raised issues concerning the Supplemental FRFAs prepared for those decisions. The Supplemental FRFA for the *Second MO&O* is as follows:

A. Need for, and Objectives of, this Memorandum Opinion and Order

12. In the *Fifth Report and Order*, the Commission adopted rules for the transition to DTV service, including eligibility standards for the initial DTV channels, a construction schedule, a requirement that broadcasters continue to provide a free, over-the-air television service, and a simulcast requirement phased-in at the end of the transition period. In the *Service Reconsideration Order*, the Commission addressed petitions for reconsideration of its eligibility standards for the initial DTV channels and other elements of its rules and procedures for broadcasters to convert to DTV service. In the *Sixth Report and Order*, the Commission adopted policies, procedures and technical criteria for use in conjunction with operation of broadcast digital television (DTV) service, adopted a DTV Table of Allotments, adopted a plan for the recovery of a portion of the spectrum currently allocated to TV broadcasting, and provided procedures for assigning DTV frequencies. In the *Allotment Reconsideration Order*, the Commission addressed petitions for reconsideration of its decisions on the DTV Table of Allotments, policies and rules for the initial DTV allotments, procedures for assigning those allotted channels, and plans for spectrum recovery. In the present *Memorandum Opinion and Order*, the Commission addresses petitions for reconsideration

of both the *Service Reconsideration Order* and the *Allotment Reconsideration Order*. Throughout this proceeding, we have sought to allot DTV channels in a manner that is most efficient for broadcasters and the public and least disruptive to broadcast television service during the period of transition from NTSC to DTV service. We wish to ensure that the spectrum is used efficiently and effectively through reliance on market forces, and ensure that the introduction of digital TV fully serves the public interest.

B. Summary of Significant Issues Raised by the Public In Response to the Supplemental FRFAs

13. None.

C. Description and Estimate Of The Number Of Small Entities To Which The Rules Will Apply

14. As noted, Final Regulatory Flexibility Analyses were incorporated into the *Fifth Report and Order* and the *Sixth Report and Order*. In those analyses, we described in detail the small entities that might be significantly affected by the rules adopted in the *Fifth Report and Order* and the *Sixth Report and Order*. Those entities included full service television stations, TV translator facilities, and LPTV stations. In addition, while we did not believe that television equipment manufacturers, manufacturers of television equipment used by consumers, and computer manufacturers constituted regulated entities for the purpose of those previous FRFAs, we included them in the analysis of the FRFAs because we thought that some rule changes and textual discussions in the *Fifth Report and Order* and the *Sixth Report and Order* might ultimately have some affect on equipment compliance. In the present *Memorandum Opinion and Order* we address reconsideration petitions filed in response to the *Service Reconsideration Order* and the *Allotment Reconsideration Order*. In this present Supplemental FRFA, we hereby incorporate by reference the description and estimate of the number of small entities from the previous FRFAs in this proceeding.

D. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements

15. The rules adopted will result in no changes in current reporting, recordkeeping, or other compliance requirements.

E. Steps Taken to Minimize Significant Economic Burdens on Small Entities, and Significant Alternatives Considered

16. As noted in the previous FRFAs, the DTV Table of Allotments will affect all of the commercial and noncommercial broadcast television stations eligible for a DTV channel in the transition period and a significant number of the LPTV and TV translator stations. LPTV and TV translator stations, especially, are likely to be small entities. It is expected that the allotments will constitute the population of channels on which broadcasters will operate DTV service in the near future. Affected stations will need to modify or obtain new transmission facilities and, to a varying extent, production equipment to operate on the new DTV channels. The actual cost of equipment is expected to vary in accordance with the degree to which the station becomes involved in DTV programming and origination.

Considering this and other information, the Memorandum Opinion and Order makes the following changes to the Commission's DTV policies:

(1) Reaffirms the Commission's initial DTV eligibility standards and denies requests by several petitioners that we change the channel of certain DTV allotments that conflict with the NTSC allotments for which they have submitted applications or petitions for rule making. (In general, these petitioners filed applications that had not been accepted or acted upon by the Commission because they contained a request for waiver of the 1987 *Freeze Order*.) The MO&O does, however, grant the petitioners' alternative suggestion that they be permitted to modify their existing applications to specify alternative channels that do not conflict with the DTV allotments. This will allow those parties to continue to pursue their outstanding investments in seeking a new stations wherever possible.

(2) Grants Fox's request that we modify our decision to limit initial maximization requests to 200 kW, subject to certain conditions. Accordingly, the item permits parties to submit requests for DTV power increases above 200 kW, up to the 1000 kW maximum. Such requests must include an engineering showing that demonstrates compliance with the *de minimis* interference standard with all affected stations assumed to be operating at the DTV power level specified for their allotment or at 200 kW, whichever is greater. Requests will be placed on public notice for 30 days and any objections to the increase above 200 kW must be resolved by the applicant. This action will allow a number of stations to construct their initial DTV facilities with greater than 200 kW effective radiated power and thereby avoid the need for them to undertake a more costly two-stage construction process to achieve higher power in the future, after the current 200 kW limitation on power increases is lifted.

(3) Grants Dispatch's request for modification of the operating requirements for DTV stations to provide licensees with greater flexibility in scheduling their DTV operations in the early phases of the DTV implementation process. In particular, the rules have been modified to allow stations, both commercial and noncommercial, that voluntarily commence DTV service early full flexibility in determining the schedule on which they operate their DTV service. Thereafter, such stations must operate in accordance with the existing requirement that they provide at least one free over-the-air DTV video program at no charge to viewers, at any time their associated NTSC stations are operating.

(4) Grants a number of individual requests for changes in the initial DTV allotments. These actions do not alter in any significant way the previous FRFAs and Supplemental FRFAs or the potential effect of the rules on any small entities that may be subject to them.

17. The Commission will send a copy of the *Memorandum Opinion and Order*, including the Supplemental FRFA, to the Chief Counsel for Advocacy of the Small Business Administration.

Ordering Clauses

18. In accordance with the actions described herein, *it is ordered that* Part 73 of the Commission's rules *is amended* as set forth in the rule changes. In addition, *it is ordered* that the rule amendments as set forth *shall be effective* 30 days after publication in the **Federal Register**. This action is taken pursuant to authority contained in §§ 4(i), 7, 301, 302, 303, 307 and 336 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 157, 301, 302, 303, 307 and 336.

19. *It is further ordered* that the Commission's Office of Public Affairs, Reference Operations Division, *shall send* a copy of this Memorandum Opinion and Order, including the Supplemental Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

20. For additional information concerning this matter, contact Bruce

Franca, Office of Engineering and Technology, (202) 418–2470, Alan Stillwell, Office of Engineering and Technology, (202) 418–2470, or Robert Eckert, Office of Engineering and Technology, Technical Research Branch, (202) 418–2433.

List of Subjects in 47 CFR Parts 73 and 74

Television.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

Rule Changes

Parts 73 and 74 of Title 47 of the Code of Federal Regulations are amended 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.

§ 73.622 [Amended]

2. Section 73.622 is amended by removing the designation ''c'' from entries in paragraph (b) to read as follows:

Under CALIFORNIA, channel 63 at Concord
Under CALIFORNIA, channel 39 at Corona
Under CALIFORNIA, channel 48 at Porterville
Under CALIFORNIA, channels 21, 35, *53 and 55 at Sacramento
Under CALIFORNIA, channel 43 at Salinas
Under CALIFORNIA, channel 61 at San Bernardino
Under CALIFORNIA, channel 41 at San Jose
Under CONNECTICUT, channel *52 at Bridgeport
Under FLORIDA, channel *44 at Boca Raton
Under FLORIDA, channel 22 at Miami
Under HAWAII, channel 31 at Honolulu
Under HAWAII, channel *7 at Lihue
Under ILLINOIS, channels 19 and 43 at Chicago
Under ILLINOIS, channel 16 at Rockford
Under INDIANA, channel 51 at Salem
Under MASSACHUSETTS, channel 29 at Worcester
Under MICHIGAN, channel *55 at East Lansing
Under MICHIGAN, channel 51 at Lansing
Under NEW HAMPSHIRE, channel *49 at Keene
Under NEW HAMPSHIRE, channel 59 at Manchester
Under NEW JERSEY, channel *18 at New Brunswick
Under NEW YORK, channel *42 at Binghamton
Under NEW YORK, channel 56 at New York
Under NEW YORK, channel 19 at Syracuse
Under NEW YORK, channel 21 at Watertown
Under OHIO, channel 42 at Sandusky
Under OHIO, channels 19 and 49 at Toledo
Under OHIO, channel 20 at Youngstown
Under PENNSYLVANIA, channel *62 at Allentown
Under PENNSYLVANIA, channel 64 at Philadelphia
Under PENNSYLVANIA, channels 25 and *26 at Pittsburgh
Under RHODE ISLAND, channel 17 at Block Island
Under TENNESSEE, channel *29 at Memphis
Under TEXAS, channel 44 at Houston
Under VIRGINIA, channel 43 at Manassas
Under VIRGINIA, channel 22 at Petersburg
Under WASHINGTON, channel 46 at Wenatchee
Under PUERTO RICO, channel *16 at Fajardo
Under PUERTO RICO, channels 29 and 35 at Mayaguez

3. Section 73.622 is amended by adding or revising the following entries in the table in paragraph (b) to read as follows:

§ 73.622 DTV Table of Allotments.

* * * * *

(b) *DTV Table of Allotments.*

* * * * *

Arizona

* * * * *

Kingman	19, *46

* * * * *

California

* * * * *

Barstow	44
Blythe	*4
Calipatria	50

* * * * *

Clovis	44c
Coalinga	*22
Concord	63c

* * * * *

Huntington Beach	*48
Long Beach	61c
Los Angeles	31c, 35c, 36, *41c, 42, 43, 53c, *59c, 60, 65c, 66

* * * * *

San Bernardino	*26, 38

* * * * *

Colorado

* * * * *

Colorado Springs	10, 22c, 24
Craig	*48
Denver	16, 17, *18, 19, 32c, 34, 35, *40, 43, 51c

* * * * *

Glenwood Springs	23, *39
Grand Junction	2, 7, 12c, 15, *17
La Junta	*30
Lamar	*50
Leadville	*49
Longmont	29

* * * * *

Florida

* * * * *

Bradenton	*5, 42

* * * * *

Live Oak	48
Marathon	*34
Melbourne	20, 48

* * * * *

Idaho

Boise	*21, 26, 28
Burley	*48
Caldwell	10c

* * * * *

Twin Falls	16, *22, 34
Weiser	*34

Illinois

* * * * *

Indiana

* * * * *

Evansville	28, 45c, 46, *54, 59

* * * * *

Iowa

* * * * *

Cedar Rapids	27, 47, 51, 52
Centerville	*44
Council Bluffs	*33c

* * * * *

Kansas

* * * * *

Garden City	16, 18, *42

* * * * *

Lawrence	36
Oakley	*40
Pittsburg	30

* * * * *

Minnesota

* * * * *

Hibbing	36, *51

* * * * *

Missouri

* * * * *

Birch Tree	*7

Bowling Green *50
Cape Girardeau 22, 57

* * * * *

Montana

* * * * *

Miles City 13, *39

* * * * *

Nevada

Elko 8, *15

* * * * *

New Jersey

Atlantic City 49, 50

* * * * *

New Mexico

* * * * *

Las Cruces *23c, 47

* * * * *

Roswell 28c, 38, 41

* * * * *

Silver City 12, *33
Socorro *31

New York

* * * * *

Oklahoma

* * * * *

Eufala *31
Guymon *29
Lawton 23

* * * * *

Texas

* * * * *

Longview 31
Lubbock 25, 27, 35c, *39, 40, 43

* * * * *

Texarkana 15, *50

* * * * *

Utah

* * * * *

Cedar City 14, 44
Monticello *41
Ogden 29, *34

* * * * *

4. Section 73.622 is amended by revising paragraph (e) to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(e) *DTV Service Areas.* (1) The service area of a DTV station is the geographic area within the station's noise-limited F(50,90) contour where its signal strength is predicted to exceed the noise-limited service level. The noise-limited contour is the area in which the predicted F(50, 90) field strength of the station's signal, in dB above 1 microvolt per meter (dBu) as determined using the method in § 73.625(b), exceeds the following levels (these are the levels at which reception of DTV service is limited by noise):

	dBu
Channels 2–6	28
Channels 7–13	36
Channels 14–69	41

(2) Within this contour, service is considered available at locations where the station's signal strength, as predicted using the terrain dependent Longley-Rice point-to-point propagation model, exceeds the levels above. Guidance for evaluating coverage areas using the Longley-Rice methodology is provided in *OET Bulletin No. 69.* Copies of *OET Bulletin No. 69* may be inspected during normal business hours at the: Federal Communications Commission, 1919 M St., N.W., Public Reference Room (Room 239), Washington, DC 20554. This document is also available through the Internet on the *FCC Home Page* at http://www.fcc.gov.

5. Section 73.623 is amended by redesignating paragraph (f) as paragraph (g) and adding a new paragraph (f), to read as follows:

§ 73.623 DTV applications and changes to DTV allotments.

* * * * *

(f) Parties requesting new allotments on channel 6 be added to the DTV Table must submit an engineering study demonstrating that no interference would be caused to existing FM radio stations on FM channels 200–220.

* * * * *

6. Section 73.624 is amended by revising paragraph (b) to read as follows:

§ 73.624 Digital television broadcast stations.

* * * * *

(b) At any time that a DTV broadcast station permittee or licensee transmits a video program signal on its analog television channel, it must also transmit at least one over-the-air video program signal at no direct charge to viewers on the DTV channel that is licensed to the analog channel, *provided* that, before the date on which DTV station is required to be constructed under paragraph (d) of this section, the DTV broadcast station permittee or licensee is not subject to any minimum schedule for operation on the DTV channel. The DTV service that is provided pursuant to this paragraph must be at least comparable in resolution to the analog television station programming transmitted to viewers on the analog channel, but subject to paragraph (f) of this section, DTV broadcast stations are not required to simulcast the analog programming.

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PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTION SERVICES

7. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 307, and 554.

8. Section 74.706 is amended by revising paragraph (d)(1) to read as follows:

§ 74.706 Digital TV (DTV) station protection.

* * * * *

(d) * * *

(1) −2 dB or less for co-channel operations. This maximum L/D ratio for co-channel interference to DTV service is only valid at locations where the signal-to-noise (S/N) ratio is 25 dB or greater. At the edge of the noise-limited service area, where the S/N ratio is 16 dB, the maximum L/D ratio for co-channel interference from analog low power TV, TV translator or TV booster service into DTV service is −21 dB. At locations where the S/N ratio is greater than 16 dB but less than 25 dB, the maximum L/D field strength ratios are found from the following Table (for values between measured values, linear interpolation can be used):

Signal-to-noise ratio(dB)	DTV-to-low power ratio (dB)
16.00	21.00
16.35	19.94
17.35	17.69
18.35	16.44
19.35	7.19
20.35	4.69
21.35	3.69
22.35	2.94
23.35	2.44
25.00	2.00

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