

this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., 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.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-179, RM-9064]

Radio Broadcasting Services; Old Forge and Newport Village, NY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on the proposed allotment of Channel 223A to Old Forge, NY, as the community's second local FM service as requested by 21st Century Radio Ventures, Inc., in response to the *Notice of Proposed Rule Making* in this proceeding. See 62 FR 44435, August 21, 1997. Channel 223A can be allotted to Old Forge in compliance with the Commission's minimum distance separation requirements with regard to all domestic allotments without the imposition of a site restriction, at coordinates 43-42-42 North Latitude; 74-58-24 West Longitude. The allotment is short-spaced to Station KFQR-FM, Channel 223C1, Montreal, Quebec, Canada. Therefore, since Old Forge is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence in this allotment as a specially negotiated short-spaced allotment will be requested from the Canadian government.

DATES: Comments must be filed on or before June 1, 1998, and reply comments on or before June 16, 1998.

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: James L. Primm, President and Counsel, 21st Century Radio

Ventures, Inc., 530 Wilshire Blvd., Suite 301, Santa Monica, CA 90401 (Petitioner).

FOR FURTHER INFORMATION CONTACT:

Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Further Notice of Proposed Rule Making, MM Docket No. 97-179, adopted April 1, 1998, and released April 10, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., 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.

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