

Commission will send a copy of this Second Order on Reconsideration, including the Supplemental FRFA, to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the Second Order on Reconsideration and Supplemental FRFA (or summaries thereof) will also be published in the **Federal Register**. See 5 U.S.C. 604(b).

#### *B. Paperwork Reduction Act*

15. The action contained herein has been analyzed with respect to the Paperwork Reduction Act of 1995 (PRA) and found to impose no new or modified reporting or recordkeeping requirements or burdens to the public.

#### **V. Ordering Clauses**

16. Pursuant to the authority contained in sections 1–4, 10, 201–02, and 254 of the Communications Act of 1934 as amended, 47 U.S.C. 1–4, 10, 201–02, and 254, and §§ 1.3 and 1.103 of the Commission's rules, this Order and Second Order on Reconsideration is adopted.

17. Section 54.904(d) is waived with respect to the filing required pursuant to that rule on June 30, 2002.

18. Section 54.303(b) of the Commission's rules is amended, effective June 24, 2002. Good cause exists to make this effective June 24, 2002. The actions we take in this Order on Reconsideration are intended to facilitate compliance other Commission rules. It is necessary that the amendment take effect as soon as possible in order to best fulfill this purpose.

19. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, shall send a copy of this Second Order on Reconsideration, including the Supplemental Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

#### **List of Subjects 47 CFR Part 54**

Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

**Marlene Dortch,**  
*Secretary.*

#### **Rule Change**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 54 as follows:

#### **PART 54—UNIVERSAL SERVICE**

1. The authority citation for part 54 continues to read as follows:

**Authority:** 47 U.S.C. 1, 4(i), 201, 205, 214, and 254 unless otherwise noted.

2. Section 54.303 is amended by adding paragraph (b)(5) to read as follows:

#### **§ 54.303 Long term support.**

\* \* \* \* \*

(b) \* \* \*

(5)(i) Beginning July 1, 2002, each carrier will be eligible to receive LTS equal to the lesser of:

(A) The LTS for which the carrier would be eligible pursuant to paragraph (b)(4) of this section, or

(B) Its common line revenue requirement as calculated in accordance with part 69 of this chapter, minus:

(1) The study area revenues obtained from end-user common line charges at their allowable maximum as determined by §§ 69.104(n) and 69.104(o) of this chapter;

(2) The carrier common line charge revenues to be phased out pursuant to § 69.105 of this chapter;

(3) The special access surcharges pursuant to § 69.114 of this chapter; and

(4) The line port costs in excess of basic analog service pursuant to § 69.130 of this chapter.

(ii) Under no circumstance shall a carrier have LTS that is less than zero.

(iii) In calculating an LTS amount pursuant to paragraph (b)(5)(i)(B) of this section, the Administrator shall use data filed pursuant to § 54.903 of this chapter.

[FR Doc. 02–15840 Filed 6–20–02; 8:45 am]

**BILLING CODE 6712–01–P**

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[DA 02–1378; MM Docket No. 01–322; RM–10332]

#### **Radio Broadcasting Services; Fremont and Sunnyvale, CA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a *Notice of Proposed Rule Making*, 66 FR 63654 (December 10, 2001) this document reallocates Channel 285A from Fremont, California to Sunnyvale, California and provides Sunnyvale with its first local aural transmission service. The coordinates for Channel 285A at Sunnyvale are 37–18–41 North Latitude and 121–48–58 West Longitude.

**DATES:** Effective July 29, 2002.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 01–322, adopted June 5, 2002, and released June 14, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A245 12th Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractors, Qualex International, Portals II, 445 12th Street, SW., Room 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**

Radio 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 and 336.

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Fremont, Channel 285A, and adding Sunnyvale, Channel 285A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.*

[FR Doc. 02–15675 Filed 6–21–02; 8:45 am]

**BILLING CODE 6712–01–P**

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

#### **Radio Broadcasting Services; Various Locations**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken

pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

**DATES:** Effective June 24, 2002.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, adopted May 29, 2002, and released June 7, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room 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

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is 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.

##### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Alabama, is amended by removing Channel 262C and adding Channel 262C1 at Tusculumbia.

3. Section 73.202(b), the Table of FM Allotments under Iowa, is amended by removing Channel 277C1 and adding Channel 277C0 at Pella.

4. Section 73.202(b), the Table of FM Allotments under Missouri, is amended by removing Channel 282A and adding Channel 282C3 at Vandalia.

5. Section 73.202(b), the Table of FM Allotments under South Carolina, is amended by removing Channel 253A and adding Channel 253C3 at Pawley's Island.

6. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 240A and adding Channel 241C3 at Dalhart and by removing Channel 286a and adding Channel 286C2 at Seadrift.

7. Section 73.202(b), the Table of FM Allotments under Washington, is amended by removing Channel 256C2 and adding Channel 256C1 at Walla Walla.

8. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended by removing Channel 287C2 and adding Channel 287C1 at Diamondville.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.*

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#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02-1340; MM Docket No. 02-42; RM-10382]

#### Radio Broadcasting Services; Chester and Westwood, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a *Notice of Proposed Rule Making*, 67 FR 12501 (March 19, 2002), this document reallocates Channel 259A from Chester, California, to Westwood, California, and provides Westwood with its first local commercial aural transmission service. The coordinates for Channel 259A at Westwood are 40-14-21 North Latitude and 121-01-52 West Longitude.

**DATES:** Effective July 22, 2002.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 02-42, adopted May 29, 2002, and released June 7, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractors, Qualex International, Portals II, 445 12th Street, SW., Room 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

Radio broadcasting.

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

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 reads 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 California, is amended by removing Channel 259A at Chester and adding Westwood, Channel 259A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.*

[FR Doc. 02-15668 Filed 6-21-02; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 95

[WT Docket No. 98-169; FCC 02-130]

#### Regulatory Flexibility in the 218-219 MHz Service

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; denial of petition for reconsideration.

**SUMMARY:** This document denies the Ad Hoc Coalition's ("Coalition") second petition for reconsideration of the Commission's *218-219 MHz Second Reconsideration Order*. The Coalition's petition contains previously raised constitutional and price inflation arguments and a newly raised, albeit untimely, Administrative Procedure Act ("APA") argument. The Commission dismisses as repetitious the Coalition's constitutional and price inflation arguments because these arguments were previously the subject of reconsideration and fully considered in the *218-219 MHz Second Reconsideration Order*. The Commission also dismisses the Coalition's untimely APA argument because the Coalition does not plead or otherwise establish new facts, changed circumstances, or public interest considerations that would merit review of the untimely request for reconsideration.

**FOR FURTHER INFORMATION CONTACT:** Francis Gutierrez, Auctions and Industry Analysis Division, Wireless Telecommunications Commission, at (202) 418-0660.