

an additional 60 days. The existing prohibition remains in effect and further rulemaking on this portion of the original proposed rule is held in abeyance until after review of the public comments.

Dated: April 7, 1995.
George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 95-9251 Filed 4-13-95; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 93-74; RM-8153]

Radio Broadcasting Services; Yermo, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: This document dismisses a petition filed on behalf of Antelope Broadcasting, Co., Inc., permittee of Station KYHT(FM), Yermo, California, requesting the substitution of Channel 287B1 for Channel 287A at Yermo, and modification of its facilities accordingly, based upon its withdrawal of interest in pursuing its modification request through the rule making process. See 58 FR 19395, April 14, 1993. With this action the proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-74, adopted April 3, 1995, and released April 11, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, D.C. 20037.

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.

[FR Doc. 95-9221 Filed 4-13-95; 8:45 am]
BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-37, RM-8586]

Television Broadcasting Services; Waimanalo, HI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition by Joyce Cathcart, proposing the allotment of Television Channel 56 to Waimanalo, Hawaii, as that community's first local television service. The allotment can be made consistent with the minimum distance separation requirements of Section 73.610 of the Commission's Rules. The coordinates for the proposed allotment of Channel 56 to Waimanalo are 21-21-00 and 157-43-12. This proposal is not affected by the freeze on television allotments or applications.

DATES: Comments must be filed on or before June 1, 1995, and reply comments on or before June 16, 1995.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Joyce Cathcart, 1508 Halekoa Drive, Ainakoa, Hawaii (Petitioner).

FOR FURTHER INFORMATION CONTACT: Nancy J. Walls, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-37, adopted March 28, 1995, and released April 10, 1995. 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, D.C. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 1919 M Street, NW, Room 246, or 2100 M Street, NW, Suite 140, Washington, D.C. 20037.

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 1.204(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

Television broadcasting.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 95-9220 Filed 4-13-95; 8:45 am]
BILLING CODE 6712-01-F

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 234

[FRA Docket No. RSGC-6; Notice No. 3]

RIN 2130-AA92

Selection and Installation of Grade Crossing Warning Systems; Notice of Proposed Rulemaking

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Change of hearing date and extension of comment period.

SUMMARY: On April 7, 1995, FRA published in the Federal Register a notice changing the hearing date in this rulemaking from May 9, 1995 to April 24, 1995.

FRA has reconsidered the hearing schedule as a result of comments from members of the public regarding the hardship that would be imposed on those wishing to participate in the hearings by the shortened time from resulting from the date change.

FRA is accordingly canceling the hearing scheduled for April 24, 1995 and will instead hold two days of hearings in this matter on Tuesday June 6, and Wednesday, June 7, 1995. The hearing location remains the same and will be held in room 2230 of the Nassif Building, DOT Headquarters Building, 400 Seventh S.W., Washington, D.C.

The comment period in this rulemaking is also being extended. Comments will be accepted through June 14, 1995.

We apologize for any inconvenience this rescheduling may cause however, we believe that this change in hearing dates will provide greater opportunity for all interested parties to participate in this rulemaking.

DATES: (1) Written comments must be received no later than June 14, 1995. Comments received after that date will be considered to the extent possible

without incurring additional expense or delay.

(2) A public hearing will be held at 9:30 a.m. on June 6, 1995 and at 9:30 a.m. on June 7, 1995. Any person who wishes to speak at the hearing should notify the FRA Docket Clerk at least five working days before to the hearing, by telephone or by mail.

ADDRESSES: (1) Written comments should be submitted to the Docket Clerk, Office of Chief Counsel, FRA, 400 Seventh Street N.W., Washington, D.C. 20590. Persons desiring to be notified that their written comments have been received by FRA should submit a stamped, self-addressed postcard with their comments. The Docket Clerk will indicate on the postcard the date on which the comments were received and will return the card to the addressee. Written comments will be available for examination, both before and after the closing date for comments, during regular business hours in Room 8201 of the Nassif Building at the above address.

(2) A public hearing will be held in room 2230 of the Nassif Building, 400 Seventh Street S.W. Washington, D.C. Persons desiring to speak at the hearing should notify the Docket Clerk by telephone (202-366-0628) or by writing to the Docket Clerk at the address above.

FOR FURTHER INFORMATION CONTACT: Bruce F. George, Chief, Highway-Rail Crossing and Trespasser Programs Division, Office of Safety, FRA, 400 Seventh Street S.W., Washington, D.C. 20590 (telephone 202-366-0533), or Mark Tessler, Trail Attorney, Office of Chief Counsel, FRA, 400 Seventh Street S.W., Washington, D.C. 20590 (telephone 202-366-0628).

Issues in Washington, D.C. on April 11, 1995.

Donald M. Itzkoff,

Deputy Administrator.

[FR Doc. 95-9359 Filed 4-13-95; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period and Notice of Public Hearings on Proposed Endangered Status With Critical Habitat in Arizona, and Threatened Status in Texas, for the Cactus Ferruginous Pygmy-owl

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule: notice of public hearing and reopening of comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service) gives notice that public hearings will be held and the comment period reopened on the proposed rule to list the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*) as an endangered species with critical habitat in Arizona, and as threatened in Texas. The hearings and the reopening of the comment period will allow all interested parties to submit oral or written comments on the proposal.

DATES: The public hearings will be held from 6 p.m. to 9 p.m. on May 8, 1995, in Tucson, Arizona, and from 7 p.m. to 10 p.m. on May 10, 1995, in Weslaco, Texas. The comment period for this proposal will be reopened on May 1, 1995, and will close on May 30, 1995. Comments must be received by the closing date. Any comments that are received after the closing date may not be considered in the final decision on the proposal.

ADDRESSES: The public hearings will be held at the Senior Ballroom, Student Union Memorial Building, University of Arizona, Tucson, Arizona and at Hoblitzelle Auditorium, Texas A&M Experimental Station, 2145 E. Highway 83, Weslaco, Texas. Written comments should be sent to the State Supervisor, U.S. Fish and Wildlife Service, 2321 W. Royal Palm Road, Phoenix, Arizona 85021-4951. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above Service address.

FOR FURTHER INFORMATION CONTACT: Jeffrey A. Humphrey, State Supervisor, Arizona Ecological Services State Office (See **ADDRESSES** section) (telephone 602/640-2720; facsimile 602/640-2730)

SUPPLEMENTARY INFORMATION:

Background

The breeding range of the cactus ferruginous pygmy-owl extends from south-central Arizona south through western Mexico, and from southern Texas south through northeastern Mexico. Within these regions, the species occurs in riverbottom woodlands, coastal plain oak associations, thornscrub, and Sonoran desert scrub. The cactus ferruginous pygmy-owl is threatened to varying degrees across its range by loss and modification of habitat, lack of adequate protective regulations, and other factors.

A proposed rule to list this species as endangered with critical habitat in Arizona, and as threatened in Texas, was published in the Federal Register (59 FR 63975) on December 12, 1994.

Pursuant to 50 CFR 424.16(c)(2), the Service may extend or reopen a comment period upon finding that there is good cause to do so. Full participation of the affected public in the species listing process, allowing the Service to consider the best scientific and commercial data available in making a final determination on the proposed action, is deemed as sufficient cause.

Section 4(b)(5)(E) of the Act, as amended (16 U.S.C. 1531 *et seq.*), requires that a public hearing be held if it is requested within 45 days of the publication of a proposed rule. In response to numerous requests, the Service is holding two hearings. The two public hearings will be held on the dates and at the addresses described above.

Anyone wishing to make an oral statement for the record is encouraged to provide a written copy of their statement and present it to the Service at the start of the hearing. In the event there is a large attendance, the time allotted for oral statements may have to be limited. Oral and written statements receive equal consideration. There are no limits to the length of written comments presented at the hearings or mailed to the Service. Legal notices announcing the dates, times, and locations of the hearings will be published in local newspapers.

The comment period on the proposal originally closed on April 11, 1995. In order to accommodate the hearings, the Service also reopens the public comment period. Written comments may now be submitted until May 30, 1995, to the Service office in the **ADDRESSES** section.

Author

The primary author of this notice is Jeffrey A. Humphrey (see **ADDRESSES**).

Authority

The authority for this action is 16 U.S.C. 1531-1544.

Dated: April 10, 1995.

Lynn B. Starnes,

Acting Regional Director, Region 2, Fish and Wildlife Service.

[FR Doc. 95-9233 Filed 4-13-95; 8:45 am]

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