

(a) A small business is an entity that, together with its affiliates and entities holding controlling interests in the entity, has average annual gross revenues that are not more than \$40 million for the preceding three years.

(b) A small business consortium is a conglomerate organization formed as a joint venture between or among mutually independent business firms, each of which individually satisfies the definition of a small business. Where an applicant (or licensee) is a consortium of small businesses, the gross revenues of each business shall not be aggregated.

(c) Applicants without identifiable controlling interests. Where an applicant (or licensee) cannot identify controlling interests under the standards set forth in this section, the gross revenues of all interest holders in the applicant, and their affiliates, will be attributable.

\* \* \* \* \*

3. Revise § 26.203 to read as follows:

**§ 26.203 Competitive bidding mechanisms.**

See § 1.2104 of this chapter.

4. Remove and reserve section 26.204.

5. Revise § 26.205 to read as follows:

**§ 26.205 Bidding application (FCC form 175 and 175-S short-form).**

See § 1.2105 of this chapter.

6. Revise § 26.206 to read as follows:

**§ 26.206 Submission of upfront payments and down payments.**

See § 1.2106 of this chapter.

7. Revise § 26.207 to read as follows:

**§ 26.207 Long form applications.**

See § 1.2107 of this chapter.

8. Revise § 26.208 to read as follows:

**§ 26.208 License grant, denial, default, and disqualification.**

See § 1.2109 of this chapter.

9. Revise § 26.210 to read as follows:

**§ 26.210 Provisions for small businesses.**

(a) Bidding credits. A winning bidder that qualifies as a small business or a consortium of small businesses may use the bidding credit specified in § 1.2110(e)(2)(iii) of this chapter.

(b) Demonstrating small business qualifications. See § 1.2110(i) of this chapter.

(c) Audits.

See § 1.2110(l) of this chapter.

(d) Unjust enrichment.

See § 1.2111 of this chapter.

10. Amend § 26.307 by revising paragraphs (a) to read as follows:

**§ 26.307 General application requirements.**

(a) See § 1.2112 of this chapter.

\* \* \* \* \*

**§ 26.313 [Removed]**

11. Remove and reserve section 26.313.

12. Amend § 26.317 by revising paragraph (b) to read as follows:

**§ 26.317 Public notice period.**

\* \* \* \* \*

(b) The Commission will not grant an application filed on Form 601 filed either by a winning bidder or by an applicant whose Form 175 application is not mutually exclusive with other applicants, until the expiration of a period of not less than seven (7) days following the issuance of a public notice listing the application, or any major amendments thereto, as acceptable for filing. See also § 1.2108 of this chapter.

\* \* \* \* \*

13. Revise § 26.320 to read as follows:

**§ 26.320 Opposition to applications.**

See § 1.2108 of this chapter.

[FR Doc. 98-28132 Filed 10-21-98; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MM Docket No. 97-138, RM-8855, 8856, 8857, 8858, 8872; FCC 98-175]

**Main Studio and Public Inspection File of Broadcast Stations**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** This rule announces the effective date of the rules published on September 16, 1998. Those rules amended the Commission's rules governing main studio and local public inspection file requirements for broadcast licensees. The Commission relaxed the standard governing the location of the main studio to allow a station to locate within the principal community contour of any station licensed to the community of license, and required the local public inspection file to be located at the broadcast station's main studio, wherever located. The Commission also amended the public inspection file rules to streamline the contents of the public inspection file.

**DATES:** Sections 73.1125 and 73.3526 and 73.3527 published at 63 FR 49487 (September 16, 1998) are effective on October 30, 1998.

**FOR FURTHER INFORMATION CONTACT:** Victoria M. McCauley or Kim Matthews, Mass Media Bureau, (202) 418-2130.

**SUPPLEMENTARY INFORMATION:** On October 7, 1998 the Office of Management and Budget ("OMB") approved the amendments to the main studio rule pursuant to OMB Control No. 3060-0171, and on October 13, 1998, OMB approved the amendments to the public file rules pursuant to OMB Control Nos. 3060-0214 and 3060-0215. Accordingly, the rules in Sections 73.1125, 73.3526 and 73.3527 will be effective on October 30, 1998.

**List of Subjects in 47 CFR Part 73**

Radio broadcasting, Television broadcasting.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

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