

Channel 224A can be allotted at Big Piney without a site restriction and Channel 231A can be allotted at La Barge without a site restriction. The coordinates for Channel 224A at Big Piney are 42-32-24 NL and 110-06-42 WL. The coordinates for Channel 231A at LaBarge are 42-15-42 NL and 110-11-36 WL.

DATES: Comments must be filed on or before July 16, 2001, and reply comments on or before July 31, 2001.

ADDRESSES: Secretary, Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Thomas J. Hutton, Holland and Knight, 2100 Pennsylvania Ave., N.W., Washington, DC 20037-5564 (Counsel to Petitioner).

FOR FURTHER INFORMATION CONTACT: Victoria M. McCauley, Mass Media Bureau, and (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-113 adopted May 16, 2001 and released May 25, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Petitioner originally requested the allotment of Channel 259A at Big Piney, Wyoming, and Channel 261A at La Barge, Wyoming as a counterproposal to MM Docket No. 99-56. Consistent with the minimum distance separation requirements of § 73.207(b) and the principal community coverage requirements of § 73.315(a) of the Commission's Rules, neither channel can be allotted at the requested community. We determined that alternate channels could be allotted at both communities.

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.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 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 Wyoming, is amended by adding Big Piney, Channel 224A and LaBarge, Channel 231A.

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

[DA 01-1303; MM Docket No. 01-114, RM-10128; MM Docket No. 01-115; RM-10129]

Radio Broadcasting Services; Morgantown, KY; and Au Gres, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes two allotments. The Commission requests comments on a petition filed by Green River Radio Company, proposing the allotment of Channel 256A at Morgantown, Kentucky, as the community's first local FM transmission service. Channel 256A can be allotted to Morgantown in compliance with the Commission's minimum distance separation requirements with a site restriction of 11.9 kilometers (7.4 miles) west to avoid short-spacings to the licensed sites of Station WKNK(FM), Channel 256A, Edmonton, Kentucky, and Station WKDQ(FM), Channel 258C, Henderson, Kentucky. The coordinates for Channel 256A at Morgantown are 37-15-34 North Latitude 86-48-40. See Supplementary Information, *infra*.

DATES: Comments must be filed on or before July 16, 2001, and reply comments on or before July 31, 2001.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Brian M. Madden, Esq., Leventhal, Senter & Lerman, P.L.L.C., 2000 K Street, NW., Suite 600, Washington, DC 20006-1809; and Arthur V. Belendiuk, Esq., Smithwick & Belendiuk, P.C., 5028 Wisconsin Ave., NW., Suite 301, Washington, DC 20016.

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-114 and MM Docket No. 01-115, adopted May 16, 2001, and released May 25, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

The Commission requests comments on a petition filed by Au Gres Broadcasting Company proposing the allotment of Channel 295A at Au Gres, Michigan, as the community's first local aural transmission service. Channel 295A can be allotted to Au Gres in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channel 295A at Au Gres are 44-02-55 North Latitude and 83-41-45 West Longitude.

The 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.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 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 Kentucky, is amended by adding Morgantown, Channel 256A.

3. Section 73.202(b), the Table of FM Allotments under Michigan, is amended by adding Au Gres, Channel 295A.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 01-14806 Filed 6-11-01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 95

[WT Docket No. 01-97; FCC 01-148]

Revision of the Authorized Duty Cycle for Stolen Vehicle Recovery Systems (SVRSs)

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes to amend a Commission rule in order to revise the authorized duty cycle for SVRS operations on 173.075 MHz. The rule change was proposed in response to a Petition for Rulemaking filed by LoJack Corporation. Specifically, we propose to permit a duty cycle for mobile units of 1800 milliseconds every 300 seconds, in addition to the current duty cycle of 200 milliseconds every 10 seconds.

DATES: Comments must be submitted on or before July 16, 2001, and reply comments are due on or before July 31, 2001.

ADDRESSES: Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Freda Lippert Thyden, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C325, Washington, DC 20554, telephone (202) 418-0627 or by e-mail to fthyden@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rulemaking*, FCC 01-148, adopted April 27, 2001, and released May 7, 2001. The full text of this *Notice*

of Proposed Rulemaking (NPRM) is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY-A257, 445 Twelfth St., SW., Washington DC.

The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, telephone (202) 857-3800, facsimile (202) 857-3805. The full text of the NPRM also can be downloaded at: <http://www.fcc.gov/Bureaus/Wireless/Orders/2001/fcc01148.wp>. Alternate formats (computer diskette, large print, audio cassette, and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426, TTY (202) 418-7365, or at bmillin@fcc.gov.

Summary of Notice of Proposed Rulemaking

1. On December 20, 1999, LoJack Corporation (LoJack) filed a Petition for Rulemaking seeking amendment of 47 CFR 90.20(e)(6) to revise the authorized duty cycle for SVRS operations on 173.075 MHz. LoJack indicates that use of a duty cycle of 1800 milliseconds permits the stolen vehicle recovery system to be activated by unauthorized movement. The mobile-to-base station "uplink" transmissions can be used to alert a control center, alert the vehicle owner in order to effect a prompt police theft report, and acknowledge base station activation and deactivation messages. LoJack submits that the new "uplink" feature obviates the need for repetitive transmissions by high-powered base stations, reducing the actual transmitting time on the channel by as much as a factor of 100:1. In order to benefit from these technological advances, a system must utilize the 1800 milliseconds cycle in addition to the 200 milliseconds cycle.

2. We believe the record warrants proposing amendment of 47 CFR 90.20(e)(6) to reflect current technological advancements that will benefit law enforcement and vehicle owners. By expediting the theft detection and reporting process, the "uplink" technology appears to greatly improve the chances for successful vehicle recovery and improves tracking efficiency. We invite comment on the merits of the proposal, specifically the public interest and public safety benefits associated with revising the duty cycle to permit the use of this new technology.

3. We believe that spectrum efficiency is an additional benefit of utilizing this new technology for recovering stolen vehicles. The "uplink" feature of the new system would be used to

acknowledge base station activation and deactivation messages, thereby obviating the need for repetitive transmissions by high-powered base stations. Although the "uplink" transmission will be greater in length than the tracking signal, the "uplink" transmissions will be fewer in number than the tracking signal. Viewing the proposal in its entirety, we believe that it would significantly reduce channel occupancy, and thereby promote spectrum efficiency. Commenters should address whether adoption of the proposal would advance efficient spectrum utilization.

4. The LoJack system transmits on a frequency of 173.075 MHz with an authorized bandwidth of 20 kHz. Therefore, interference to TV Channel 7 (174-180 MHz) reception is a concern. The possibility of interference to TV Channel 7 is largely determined by power and proximity. As such, it is the base station sites rather than the transponder units, that are of greater consequence. Nonetheless, transmissions by mobile units are restricted in order to reduce the impact of any potential interference from mobile units to TV Channel 7 reception. Instituting the 1800 millisecond duty cycle will not significantly increase the number of mobile transmissions. Consequently, we tentatively conclude that the possibility of interference from mobile units to TV Channel 7 will not significantly increase. Conversely, the number of base station transmissions needed for a typical stolen vehicle recovery sequence will be greatly reduced. Therefore, we tentatively conclude that the proposal will likely reduce the possibility of harmful interference to DTV and TV Channel 7 reception. Nevertheless, we invite commenters to address any concerns regarding interference to digital, as well as analog, broadcast operations on TV Channel 7.

5. In addition to proposing to modify the duty cycle rule, we invite comment on whether the public interest continues to be served by specification of the relevant duty cycles in our Rules. We seek comment on whether these concerns continue to merit specifying duty cycles, in whole or in part, or whether it is now appropriate to develop a rule permitting greater technical flexibility. Would elimination of a specified duty cycle for mobiles cause harmful interference to TV Channel 7 reception? Would removal of a duty cycle for base stations prevent competitive SVRS operations from commencing? In addition, would spectrum efficiency be impaired without specified duty cycles?