

legitimate vehicle range capability and fueling availability limitations; or for other reasons acceptable to the agency.

■ 3. Revise § 302–4.401 to read as follows:

§ 302–4.401 Are there exceptions to this daily minimum?

Yes, your agency may authorize exceptions to the daily minimum driving distance when there is a delay beyond your control such as acts of God, restrictions by Governmental authorities, other acceptable reasons (e.g., the employee is an individual with a disability or has special needs, or legitimate alternative fuel vehicle range capability and fueling availability limitations). Your agency must have a designated approving official authorize the exception.

■ 4. Revise § 302–4.704 to read as follows:

§ 302–4.704 Must we require a minimum driving distance per day?

Yes, you must establish a minimum driving distance not less than an average of 300 miles per day. However, an exception to the daily minimum driving distance may be made when the delay is:

- (a) Beyond control of the employee, e.g., results from acts of God or restrictions by Government authorities;
- (b) Due to a disability or special need;
- (c) Due to legitimate vehicle range capability and fueling availability limitations of the employee's alternative fuel POV; or
- (d) For other reasons acceptable to you.

PART 302–9—ALLOWANCES FOR TRANSPORTATION AND EMERGENCY OR TEMPORARY STORAGE OF A PRIVATELY OWNED VEHICLE

■ 5. The authority citation for part 302–9 continues to read as follows:

Authority: 5 U.S.C. 5737a; 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, as amended, 3 CFR 1971–1975 Comp., p. 586.

■ 6. Amend § 302–9.4 by adding a sentence to the end of the section to read as follows:

§ 302–9.4 What are the purposes of the allowance for transportation of a POV?

* * * For example, your agency may determine that it is both advantageous and cost effective to the Government to allow for transportation of an alternative fuel POV which would be impractical to drive a long distance to the new official station due to legitimate vehicle range capability and fueling availability limitations, but has practical use once at the new official station.

■ 7. Amend § 302–9.301 by revising paragraph (e) to read as follows:

§ 302–9.301 Under what conditions may my agency authorize transportation of my POV within CONUS?

* * * * *

(e) The distance that the POV is to be shipped is 600 miles or more. An exception to the 600-mile or more distance requirement may be made for legitimate alternative fuel vehicle range capability and fueling availability limitations.

■ 8. Amend § 302–9.606 by revising paragraph (f) to read as follows:

§ 302–9.606 What must we consider in determining whether transportation of a POV within CONUS is cost effective?

* * * * *

(f) The distance that the POV is to be shipped is 600 miles or more. An exception to the 600-mile distance requirement may be made for legitimate alternative fuel vehicle range capability and fueling availability limitations.

[FR Doc. 2023–04819 Filed 3–13–23; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 23–79; RM–11947; DA 23–160; FR ID 130305]

**Television Broadcasting Services
Kalispell, Montana**

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has before it a petition for rulemaking filed by Sinclair Media Licensee, LLC (Petitioner), the licensee of KCFW–TV, channel 9, Kalispell, Montana. The Petitioner requests the substitution of channel 17 for channel 9 at Kalispell in the Table of Allotments.

DATES: Comments must be filed on or before April 13, 2023 and reply comments on or before April 28, 2023.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Paul Cicelski, Esq., Lerman Senter PLLC, 2001 L Street NW, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Joyce Bernstein, Media Bureau, at (202) 418–1647; or Joyce Bernstein, Media Bureau, at Joyce.Bernstein@fcc.gov.

SUPPLEMENTARY INFORMATION: In support, the Petitioner states that the Station has a long history of severe reception problems as a result of its operation on a VHF channel. The Petitioner further states that the Commission has recognized that VHF channels pose challenges for their use in providing digital television service, including propagation characteristics that allow undesired signals and noise to be receivable at relatively far distances and result in large variability in the performance of indoor antennas available to viewers with most antennas performing very poorly on high VHF channels. According to the Petitioner, KCFW–TV “has received numerous complaints from viewers unable to receive that Station’s over-the-air signal, despite being able to receive signals from other local stations.” Petitioner asserts that its channel substitution proposal will serve the public in by resolving the over-the-air reception problems and enhancing viewer reception in KCFW–TV’s service area. An analysis provided by the Petitioner using the Commission’s *TVStudy* software tool indicates that all but approximately 75 persons will continue to receive the signal, a number the Petitioner asserts is *de minimis*. Furthermore, in addition to maintaining full coverage of its community of license, Petitioner notes that the proposed change to channel 17 will result in a predicted increase in service to more than 38,000 persons.

This is a synopsis of the Commission’s *Notice of Proposed Rulemaking*, MB Docket No. 23–79; RM–11947; DA 23–160, adopted March 1, 2023, and released March 1, 2023. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to FCC504@fcc.gov or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited

from the time a Notice of Proposed Rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, see 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in Section 1.1204(a) of the Commission’s rules, 47 CFR 1.1204(a).

See Sections 1.415 and 1.420 of the Commission’s rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.
Thomas Horan,
Chief of Staff, Media Bureau.

Proposed Rule

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, 155, 301, 303, 307, 309, 310, 334, 336, 339.

§ 73.622 [Amended]

- 2. In § 73.622 in paragraph (j), amend the Table of Allotments under Montana

by revising the entry for Kalispell to read as follows:

§ 73.622 Table of allotments.

* * * * *

(j) * * *

Community	Channel No.
* * * * *	* * * * *
MONTANA	
* * * * *	* * * * *
Kalispell	* 15, 17
* * * * *	* * * * *

[FR Doc. 2023-05117 Filed 3-13-23; 8:45 am]

BILLING CODE 6712-01-P