



FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 23-813; MB Docket No. 23-302; RM-11965; FR ID 170812]

Radio Broadcasting Services; Lac du Flambeau, Wisconsin

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by L.D.F. Business Development Corp., the non-gaming wholly-owned business entity of the Lac du Flambeau Band of Lake Superior Chippewa Indians (LDF Tribe), proposing to amend the FM Table of Allotments, by allotting Channel 225A at Lac du Flambeau, Wisconsin, as a Tribal allotment and the community's first local service. A staff engineering analysis indicates that Channel 225A can be allotted to Lac du Flambeau, Wisconsin, consistent with the minimum distance separation requirements of the Commission's rules, with a site restriction of 12.1 km (7.5 miles) northwest of the community. The reference coordinates are 46-01-14 NL and 89-44-54 WL. Lac du Flambeau, Wisconsin is located within 320 kilometers (199 miles) of the U.S.-Canada border. Commission staff has requested Canadian concurrence.

DATES: Comments must be filed on or before October 30, 2023, and reply comments on or before November 15, 2023.

ADDRESSES: Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner and its counsel as follows: Melodie A. Virtue, Esq., Brad C. Deutsch, Esq., c/o L.D.F. Business Development Corp., Foster Garvey PC, 1000 Potomac Street, NW, Suite 200, Washington, DC 20007, Melodie.Virtue@foster.com, Brad.Deutsch@foster.com.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418-2054, Rolanda-Faye.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Federal Communications Commission's (Commission) Notice of Proposed Rule Making, MB Docket No. 23-302, adopted September 6, 2023, and released September 6, 2023. The full text of this Commission decision is available online at <https://apps.fcc.gov/ecfs>. The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at <https://www.fcc.gov/edocs>. This document does not contain proposed 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 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, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,
Assistant Chief, Audio Division,
Media Bureau.

Proposed Rules

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.

2. In § 73.202, in paragraph (b), amend the Table of FM Allotments under Wisconsin by adding in alphabetical an entry for “Lac du Flambeau” to read as follows:

§ 73.202 Table of Allotments.

* * * * *

(b) * * *

Table 1 to Paragraph (b)

[U.S. States]

	Channel No.
* * * * *	
Wisconsin	
* * *	****
Lac du Flambeau	225A
* * *	****

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