

[fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

For further information regarding the Further Notice of Proposed Rule Making, contact Paul D'Ari, Wireless Telecommunications Bureau, (202) 418–1550, e-mail [Paul.Dari@fcc.gov](mailto:Paul.Dari@fcc.gov), or Hugh L. Van Tuyl, Office of Engineering and Technology, (202) 418–7506, e-mail [Hugh.VanTuyl@fcc.gov](mailto:Hugh.VanTuyl@fcc.gov).

### III. Ordering Clauses

77. *It is further ordered* that the Commission *shall send* a copy of this *Report and Order* and *Further Notice of Proposed Rulemaking* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

77. *It is further ordered* pursuant to Sections 4(i), 302, 303(e), 303(f), 303(r) and 307 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 302, 303(e), 303(f), 303(r) and 307 that this FNPRM in WT Docket No. 08–166, WT Docket No. 08–167 and ET Docket No. 10–24 is adopted.

79. *It is further ordered* that pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 CFR 1.415, 1.419, interested parties may file comments on the FNPRM on or before 30 days after publication in the **Federal Register** and reply comments on or before 51 days after publication in the **Federal Register**.

80. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this FNPRM, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

### List of Subjects in 47 CFR Part 15

Communications equipment, Labeling, and Reporting and recordkeeping requirements.

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

### Proposed Rules

For the reason discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 15 as follows:

### PART 15—RADIO FREQUENCY DEVICES

1. The authority citation of part 15 continues to read as follows:

**Authority:** 47 U.S.C. 154, 302, 303, 304, 307, 336, and 544A.

2. Section 15.3 is amended by adding a new paragraph (hh) to read as follows:

#### § 15.3 Definitions.

\* \* \* \* \*

(hh) *Wireless Audio Device.* An intentional radiator that is used to transmit voice, music or other audio material over a short distance. Transmissions may be either analog or digital. Data transmissions are not permitted except for short strings such as recognition codes necessary to ensure the functionality of a system. Transmission of audio material to the public switched telephone network and private and commercial wireless systems and networks is not permitted.

3. A new § 15.238 added to read as follows:

#### § 15.238 Operation in the bands 54–72 MHz, 76–88 MHz, 174–216 MHz, 470–608 MHz and 614–698 MHz.

(a) Operation under this section is limited to wireless audio devices as defined in § 15.3(hh).

(b) Operation is limited to locations removed from existing co-channel TV broadcast stations by not less than the following distances. See § 73.609 for zone definitions.

(1) 54.000–72.000 MHz and 76.000–88.000 MHz:

- (i) Zone I 105 km (65 miles)
- (ii) Zones II and III 129 km (80 miles)

(2) 174.000–216.000 MHz:

- (i) Zone I 97 km (60 miles)
- (ii) Zones II and III 129 km (80 miles)

(3) 470.000–608.000 MHz and 614.000–698.000 MHz: All zones 113 km (70 miles)

(c) Specific frequency operation is required as follows.

(1) The frequency selection shall be offset from the upper or lower band limits by 25 kHz or an integral multiple thereof.

(2) One or more adjacent 25 kHz segments within the assignable frequencies may be combined to form a channel whose maximum bandwidth shall not exceed 200 kHz. The operating bandwidth shall not exceed 200 kHz.

(3) The frequency tolerance of the carrier signal shall be maintained within  $\pm 0.005\%$  of the operating frequency over a temperature variation of  $-20$  degrees to  $+50$  degrees C at normal supply voltage, and for a variation in the primary supply voltage from 85% to 115% of the rated supply voltage at a temperature of 20 degrees C. Battery operated equipment shall be tested using a new battery.

(d) The unmodulated carrier power at the antenna input may not exceed 50 mW.

(e) The mean power of out-of-band emissions must comply with the following:

(1) On any frequency removed from the operating frequency by more than 50% and up to 100% of the authorized bandwidth: at least 25 dB.

(2) On any frequency removed from the operating frequency by more than 100% and up to 250% of the authorized bandwidth: at least 35 dB.

(3) On any frequency removed from the operating frequency by more than 250% of the authorized bandwidth:  $43+10 \log P$  dB where P is the mean output power in watts.

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### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[MB Docket No. 09–194; DA 10–70]

#### Empowering Parents and Protecting Children in an Evolving Media Landscape

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of comment and reply dates.

**SUMMARY:** This document extends the period of time in which to file comments and reply comments in response to the FCC's Notice of Inquiry (74 FR 61308, Nov. 24, 2009) seeking comment on how to empower parents to help their children take advantage of the opportunities offered by evolving electronic media technologies while at the same time protecting children from the risks inherent in use of these technologies.

**DATES:** Comments are due February 24, 2010; reply comments are due March 26, 2010.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** For additional information on this proceeding, contact David Konczal, Media Bureau, Policy Division at (202) 418–2228 or at [David.Konczal@fcc.gov](mailto:David.Konczal@fcc.gov), Kim Matthews, Media Bureau, Policy Division at (202) 418–2154 or at [Kim.Matthews@fcc.gov](mailto:Kim.Matthews@fcc.gov), or Holly Saurer, Media Bureau, Policy Division at (202) 418–7283 or at [Holly.Saurer@fcc.gov](mailto:Holly.Saurer@fcc.gov).

**SUPPLEMENTARY INFORMATION:** We have received two requests for an extension of time in which to file comments and reply comments in response to the

Commission's NOI. The first request was filed December 29, 2009 by the Association of National Advertisers, the American Advertising Federation, the American Association of Advertising Agencies, the Direct Marketing Association, the Interactive Advertising Bureau, and the Promotion Marketing Association. The second request for an extension of time was filed January 7, 2010 by the Children's Food and Beverage Advertising Initiative and the Children's Advertising Review Unit of the Council of Better Business Bureaus, Inc. Both filings request that the comment and reply comment dates be extended by thirty days each in order to permit preparation of full responses to the multiple issues raised in this proceeding, particularly in light of the intervening year-end holidays that fell in the middle of the current comment period. The NOI was released on October 23, 2009 and was published in the **Federal Register** on November 24, 2009. The comment date was set at 60 days after **Federal Register** publication (i.e., by January 25, 2010), and the reply comment date was set at 90 days after **Federal Register** publication (i.e., by February 24, 2010).

We believe that granting the requests for extension of time will facilitate the compilation of a more complete record in this proceeding. We conclude, therefore, that doing so is in the public interest. Accordingly, parties will have until Wednesday, February 24, 2010 to file comments and until Friday, March 26, 2010 to file reply comments.

Accordingly, *it is ordered* that, pursuant to Sections 4(i), 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), and 155(c), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 CFR 0.61, 0.283, and 1.46, the date for filing comments and reply comments in response to the NOI in this proceeding are extended to February 24, 2010 and March 26, 2010, respectively.

Federal Communications Commission.

**William T. Lake,**

*Chief, Media Bureau.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 10-23; MB Docket No. 09-204; RM-11580]

### Radio Broadcasting Services, Peach Springs, Arizona

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division seeks comments on a petition filed by Cochise Media Licenses, LLC, proposing the allotment of FM Channel 281C3 at Peach Springs, Arizona. The reference coordinates for Channel 281C3 at Peach Springs are 35-33-46 NL and 113-27-12 WL.

**DATES:** Comments must be filed on or before March 1, 2010, and reply comments on or before March 16, 2010.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. In addition to filing comments with the FCC interested parties should serve the petitioner, as follows: Susan A. Marshall, Esq., and Anne Goodwin Crump, Esq., Fletcher, Heald & Hildreth, PLC, 1300 N. 17th Street - Eleventh Floor, Arlington, Virginia 22209 (Counsel for Cochise Media Licenses, LLC).

**FOR FURTHER INFORMATION CONTACT:** Andrew J. Rhodes, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MB Docket No. 09-204, adopted January 6, 2010, and released January 8, 2010. The full text of this Commission document 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, Best Copy and Printing, Inc., 445 12th Street, SW, Room CY-B402, Washington, DC 20554, 800-378-3160 or via the company's website, <<http://www.bcpweb.com>>.

The proposed channel at Peach Springs is part of a hybrid application and rulemaking proceeding. In the application (File No. BNPH-20091016ADO), Cochise Media Licenses, the tentative selectee in Auction 79 and applicant for a new FM station on Channel 268C3 at Peach Springs, Arizona, proposes a minor

modification from Channel 268C3 at Peach Springs to Channel 267C2 at Oatman, Arizona. To retain a first local service at Peach Springs and to accommodate a first local service at Oatman, the Notice of Proposed Rule Making proposes the allotment of Channel 281C3 at Peach Springs.

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 Section 1.1204(b) for rules governing permissible ex parte contact. For information regarding proper filing procedures for comments, see 47 CFR 1.4125 and 1.420.

### List of Subjects in 47 CFR Part 73

Radio, 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, 336.

Section 73.202 [Amended]

2. Section 73.202(b), the Table of FM allotments under Arizona, is amended by adding Channel 281C3 at Peach Springs.

Federal Communications Commission.

*John A. Karousos,*

*Assistant Chief,*

*Audio Division,*

*Media Bureau.*

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