

concurrence has been received for the allotment of Channel 273A at Encinal. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

**DATES:** Effective November 12, 2002.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MB Docket No. 02-188, adopted September 25, 2002, and released September 27, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, (202) 863-2893, facsimile (202) 863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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

Radio, Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended 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 Texas, is amended by adding Encinal, Channel 273A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 02-26229 Filed 10-15-02; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02-2233; MB Docket No. 02-115; RM 02-10427]

#### Radio Broadcasting Services; Monroe and Luna Pier, MI

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission reallocates Channel 252A from Monroe to Luna Pier, Michigan, as the community's first local aural transmission service and modifies the license for Station WTWR-FM to reflect the changes. *See* 67 FR 40907 (06/14/2002). Station WTWR-FM has two preexisting short spacings grandfathered pursuant to Section 73.213 of the rules and the change of community is being implemented without any change in facilities at petitioner's existing transmitter site. Channel 252A is allotted at Luna Pier at petitioner's transmitter site which is 4.7 kilometers (2.9 miles) northwest of the community. Coordinates for Channel 252A at Luna Pier are 41-50-43 NL and 83-27-59 WL.

**DATES:** Effective November 4, 2002.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 02-115, adopted September 4, 2002, and released September 20, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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

Radio, Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended 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.

2. Section 73.202(b), the Table of FM Allotments under Michigan, is amended by adding Luna Pier, Channel 252A, and removing Monroe, Channel 252A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02-2518, MB Docket No. 02-154, RM-10490]

#### Television Broadcast Service; Topeka, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Davis Television Topeka, LLC, substitutes channel 22+ for channel 43 at Topeka, Kansas. *See* 67 FR 44792, July 15, 2002. TV channel can be allotted to Topeka, Kansas, with a plus offset consistent with the requirements of Section 73.610 at coordinates 39-00-00 N. and 96-07-45 W. With this action, this proceeding is terminated.

**DATES:** Effective November 25, 2002.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 02-154, adopted October 3, 2002, and released October 10, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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

Television broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.606 [Amended]

2. Section 73.606(b), the Table of Television Allotments under Kansas, is amended by removing TV channel 43 and adding TV channel 22+ at Topeka.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 02-26268 Filed 10-15-02; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[I.D. 100702A]

#### Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Quota transfers; General category daily retention limit adjustment.

**SUMMARY:** NMFS adjusts the October-December time-period subquota for the General category Atlantic bluefin tuna (BFT) fishery by transferring 60 metric tons (mt) from the Longline South subquota, 10 mt from the Longline North subquota, 60 mt from the Angling category large school/small medium size class subquota for the northern area, and including the quota underharvest from previous time periods, for a revised coastwide General category October - December time-period subquota of approximately 301.4 mt. NMFS has also determined that the BFT General category restricted fishing day (RFD) schedule should be adjusted to allow for maximum utilization of the General category October-December time-period subquota. Therefore, NMFS authorizes fishing under the General category quota the previously designated RFDs for the month of October, 2002. Additionally, the daily retention limit is increased to two large medium or giant BFT for the remainder of October, 2002. These actions are being taken to allow for maximum utilization of the U.S. landings quota of BFT while maintaining a fair distribution of fishing opportunities, preventing overharvest of the adjusted subquotas for the affected fishing categories, helping to achieve optimum yield in the General category fishery, and allowing the collection of a broad range of data for stock monitoring purposes, consistent with the objectives of the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (HMS FMP).

**DATES:** The quota transfers are effective October 10, 2002, through May 31, 2003.

The General category retention limit adjustments are effective October 13, 2002, through October 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Brad McHale, 978-281-9260.

#### SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories.

#### Quota Adjustments

Under the implementing regulations at 50 CFR 635.27(a)(8), NMFS has the authority to transfer quotas among categories, or, as appropriate, subcategories, of the fishery, after considering the following factors: (1) The usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock; (2) the catches of the particular category quota to date and the likelihood of closure of that segment of the fishery if no allocation is made; (3) the projected ability of the vessels fishing under the particular category quota to harvest the additional amount of BFT before the end of the fishing year; (4) the estimated amounts by which quotas established for other gear segments of the fishery might be exceeded; (5) the effects of the transfer on BFT rebuilding and overfishing; and (6) the effects of the transfer on accomplishing the objectives of the HMS FMP.

If it is determined, based on the factors listed here and the probability of exceeding the total quota, that vessels fishing under any category or subcategory quota are not likely to take that quota, NMFS may transfer inseason any portion of the remaining quota of that fishing category to any other fishing category or to the Reserve quota.

Annual BFT quota specifications issued under 50 CFR 635.27 provide for a quota of 647.0 mt of large medium and giant BFT to be harvested from the regulatory area by vessels fishing under the General category quota during the 2002 fishing year. The General category BFT quota is further subdivided into time period subquotas to provide for broad temporal and geographic distribution of scientific data collection and fishing opportunities. The October-

December subquota was initially set at 63.7 mt for the 2002 fishing year, and is currently 171.4 mt, after the carryover of approximately 107.7 mt of unharvested subquota from previous time periods. An additional 10 mt has been set aside for the traditional fall New York Bight fishery.

After considering the factors for making transfers between categories, NMFS has determined that 60 mt of the remaining Longline South subcategory quota of approximately 109.0 mt, and 10 mt of the remaining Longline North subcategory quota of approximately 25.4 mt should be transferred to the General category. Sufficient quota remains in the Longline category to provide for additional landings by pelagic longline vessels for the remainder of the 2002 fishing year. NMFS has also determined that 60 mt of the remaining Angling North large school/small medium subcategory quota of approximately 112.5 mt should be transferred to the General category. Given these transfers totaling 130 mt, the adjusted subquota for the coastwide General category fishery for the October-December period is 301.4 mt.

#### Adjustment of General Category Daily Retention Limit

NMFS previously established an effort control schedule for the 2002 BFT General category fishery that included certain RFDs (67 FR 61537, October 1, 2002). Under the authority of 50 CFR 635.23(a)(4), NMFS may increase or decrease the General category daily retention limit of large medium and giant BFT over a range from zero (on RFDs) to a maximum of three per vessel to allow for maximum utilization of the quota for BFT. Based on a review of dealer reports, daily landing trends, and the availability of BFT on the fishing grounds, NMFS has determined an adjustment to the RFD schedule is appropriate and necessary, and, therefore, increases the daily retention limit for certain previously designated RFDs for the month of October, 2002. An adjustment to the General category daily retention limit will allow full use of the adjusted October-December subquota, while preventing overharvest and ensuring reasonable fishing opportunities in all areas. Therefore, NMFS authorizes fishing under the General category quota for October 13, 14, 16, 30, 21, 23, 27, 28, and 30, 2002, and increases the daily retention limit to two large medium or giant BFT per vessel through October 31, 2002.

If the adjusted General category subquota for the October-December period is harvested, the coastwide fishery will be closed and NMFS will