

3. The rule amendments adopted in this Order and set forth in the attached Appendix are nonsubstantive, editorial revisions of the rules pursuant to 47 C.F.R. § 0.231(b). These revisions make minor editorial changes that are necessary to harmonize our rules. Accordingly, we find good cause to conclude that notice and comment procedures are unnecessary and would not serve any useful purpose.⁸ For the same reason, we also find good cause to make these nonsubstantive, editorial revisions of the rules effective upon publication in the *Federal Register*.⁹

4. Because this Order is being adopted without notice and comment, the Regulatory Flexibility Act¹⁰ does not apply.

5. The rules contained herein have been analyzed with respect to the Paperwork Reduction Act of 1995 and found to contain no new or modified form, information collection, and/or recordkeeping, labeling, disclosure, or record retention requirements, and will not increase or decrease burden hours imposed on the public.¹¹ In addition, therefore, this Order does not contain any new or modified “information collection burden for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002.¹² The Commission will send a copy of the Order in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act.¹³

6. For further information, contact David Konczal, David.Konczal@fcc.gov, of the Media Bureau, Policy Division, (202) 418-2120.

7. Accordingly, **IT IS ORDERED THAT**, effective upon publication in the *Federal Register*, Part 1 of the Commission’s rules **IS AMENDED**, as set forth in the attached Appendix, pursuant to the authority contained in Sections 4(i), 5(c), and 303(r) of the Communications Act, 47 U.S.C. §§ 154(i), 155(c), and 303(r), and Section 0.231(b) of the Commission’s rules, 47 C.F.R. § 0.231(b).

8. **IT IS FURTHER ORDERED** that the Secretary shall cause a copy of this Order to be published in the *Federal Register*.

FEDERAL COMMUNICATIONS COMMISSION

David Robbins
Managing Director

William T. Lake
Chief, Media Bureau

⁸ See 5 U.S.C. § 553(b)(3)(B).

⁹ See 5 U.S.C. § 553(d)(3).

¹⁰ 5 U.S.C. §§ 601, *et seq.*

¹¹ See Pub. L. No. 104-13, 44 U.S.C. §§ 3501, *et seq.*

¹² See Pub. L. No. 107-198, 44 U.S.C. § 3506(c)(4).

¹³ See 5 U.S.C. § 801(a)(1)(A).

APPENDIX

Final Rules

Part 1 of Title 47 of the Code of Federal Regulations is amended to read as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 15 U.S.C. 79 *et seq.*; 47 U.S.C. 151, 154(i), 154(j), 155, 157, 225, 227, 303(r), and 309.

2. Amend § 1.229 by revising paragraph (b) to read as follows:

* * * * *

(b)(1) In comparative broadcast proceedings involving applicants for only new facilities, such motions shall be filed within 30 days of the release of the designation order, except that persons not named as parties to the proceeding in the designation order may file such motions with their petitions to intervene up to 30 days after publication of the full text or a summary of the designation order in the FEDERAL REGISTER. (See §1.223 of this part).

(2) For program carriage complaints filed pursuant to § 76.1302 of this part that the Chief, Media Bureau refers to an administrative law judge for an initial decision, such motions shall be filed within 15 calendar days after the deadline for submitting written appearances pursuant to § 1.221(h) of this part, except that persons not named as parties to the proceeding in the designation order may file such motions with their petitions to intervene up to 30 days after publication of the full text or a summary of the designation order in the Federal Register. (See § 1.223 of this part).

(3) Any person desiring to file a motion to modify the issues after the expiration of periods specified in paragraphs (a), (b)(1), and (b)(2) of this section shall set forth the reason why it was not possible to file the motion within the prescribed period. Except as provided in paragraph (c) of this section, the motion will be granted only if good cause is shown for the delay in filing. Motions for modifications of issues which are based on new facts or newly discovered facts shall be filed within 15 days after such facts are discovered by the moving party.

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