

Before the Federal Communications Commission Washington, D.C. 20554

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5. The window period for filing applications on Channel 239A at East Brewton, Alabama, will open on September 14, 1992, and close on October 14, 1992.

6. For further information concerning the above, contact Nancy Joyner, Mass Media Bureau, (202) 634-6530. Questions related to the window application filing process should be addressed to the Audio Services Division, FM Branch, Mass Media Bureau, (202) 632-0394.

MM Docket No. 92-58 ✓

In the Matter of

Amendment of Section 73.202(b), RM-7947 Table of Allotments, FM Broadcast Stations. (East Brewton, Alabama)

FEDERAL COMMUNICATIONS COMMISSION

Michael C. Ruger Chief, Allocations Branch Policy and Rules Division Mass Media Bureau

REPORT AND ORDER (Proceeding Terminated)

Adopted: July 15, 1992; Released: July 28, 1992

By the Chief, Allocations Branch:

1. Before the Commission for consideration is the Notice of Proposed Rule Making, 7 FCC Rcd 2190 (1992), issued in response to a petition filed on behalf of Escambia Creek Indian Broadcasting Company ("petitioner") proposing the allotment of Channel 239A to East Brewton, Alabama, as that community's first local aural transmission service. Petitioner filed comments in support of the proposal reiterating its intention to apply for Channel 239A if allotted to East Brewton. No other comments were received.

2. We believe the public interest would be served by allotting Channel 239A to East Brewton since it could provide a first local aural transmission service to the community. As indicated in the Notice, Channel 239A can be allotted to East Brewton in conformity with the minimum distance separation requirements of Section 73.207(b)(1) of the Commission's Rules, provided the transmitter is located at least 12.0 kilometers (7.4 miles) north of the community.<sup>1</sup>

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective September 11, 1992, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED to include the community listed below, as follows:

City Channel No. East Brewton, Alabama 239A

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

<sup>1</sup> Coordinates used for Channel 239A are 31-12-07 and 87-02-03. The site restriction is required to avoid a short-spacing to the licensed site of Station WAVH(FM), Channel 241C, Mo-

bile, Alabama, at coordinates 30-41-20 and 87-49-49, as well as to the authorized site of Station WKNU(FM), Channel 292A, Brewton, Alabama, at coordinates 31-06-45 and 87-01-19.