

FCC MAIL SECTION

Before the
Federal Communications Commission
Washington, D.C. 20554DISPATCHED BY
MM Docket No. 92-219 ✓

In the Matter of

Amendment of Section 73.202(b), RM-8039
Table of Allotments,
FM Broadcast Stations.
(Tarkio, Missouri)**REPORT AND ORDER**
(Proceeding Terminated)

Adopted: December 11, 1992; Released: January 8, 1993

By the Chief, Allocations Branch:

1. The Commission has before it for consideration the *Notice of Proposed Rule Making*, 7 FCC Rcd 6374 (1992), issued in response to a petition filed by KANZA, Inc. ("petitioner"), proposing the substitution of Channel 228C3 for Channel 228A at Tarkio, Missouri. Petitioner also requested modification of its license for Station KTRX(FM), Channel 228A, to specify operation on Channel 228C3. Petitioner filed comments in which it reaffirmed its interest in the channel. No other comments were received.

2. We believe the public interest would be served by the substitution of Channel 228C3 for Channel 228A at Tarkio since it would provide expanded reception service to the community. The substitution can be made in compliance with the minimum distance separation requirements of Section 73.207 of the Commission's Rules at petitioner's specified site.¹ In addition, we have authorized a modification of the license for Station KTRX(FM), Channel 228A, Tarkio, Missouri, to specify operation on Channel 228C3, in accordance with Section 1.420(g) of the Commission's Rules.

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 **February 22, 1993**, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, to read as follows:

Community	Channel No.
Tarkio, Missouri	228C3

4. IT IS FURTHER ORDERED, pursuant to the authority contained in Section 316 of the Communications Act of 1934, as amended, that the license of Station KTRX(FM), Tarkio, Missouri, IS MODIFIED to specify operation on Channel 228C3, subject to the following conditions:

- (a) Within 90 days of the effective date of this *Order*, the licensee shall file with the Commission a minor change application for construction permit (Form 301), specifying the new facility.
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620.
- (c) Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

5. Pursuant to Commission Rule Section 1.1104(1)(k) and (2)(k), any party seeking a change of community of license of an FM or television allotment or an upgrade of an existing FM allotment, if the request is granted, must submit a rule making fee when filing its application to implement the change in community of license and/or upgrade. As a result of this proceeding, KANZA, Inc., licensee of Station KTRX(FM), is required to submit a rule making fee in addition to the fee required for the applications to effect the upgrade.

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

7. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

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

¹ The coordinates for Channel 228C3 at Tarkio are 40-33-50 and

95-15-00.