

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

MM Docket No. 92-81

In the Matter of

Amendment of Section 73.606(b). RM-7875
Table of Allotments.
Television Broadcast Stations.
(Farmington and Gallup, New Mexico)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 1, 1996; Released: February 23, 1996

By the Chief, Allocations Branch:

1. At the request of Pulitzer Broadcasting Company ("petitioner"), the Commission has before it the *Notice of Proposed Rule Making*, 7 FCC Rcd 2382 (1992), proposing the reallocation of Channel 3 from Gallup to Farmington, New Mexico, as the community's second local television service, and the modification of petitioner's construction permit for Station KOAV-TV to specify Farmington as its community of license. Comments and reply comments were filed by the petitioner and by KOB-TV, Inc. ("KOB").¹

BACKGROUND

2. The proposed reallocation of Channel 3 from Gallup to Farmington was filed pursuant to the provisions of Section 1.420(i) of the Rules, which permits the reallocation of a channel from one community to another, and the modification of a station's authorization without competition from other applicants for the newly allotted channel. See *Modification of FM and TV Authorizations to specify a New Community of License ("Modification of License R&O")*, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990) ("*Modification of License MO&O*"). In the *Notice*, we set forth petitioner's claim that the reallocation of Channel 3 to Farmington would result in a preferential arrangement of allotments since it would enable Station KOAV-TV to provide service to 142,098 persons within an area of 2,610 square kilometers (1,008 square miles), including a first Grade B television reception service to 11,232 persons, and a second Grade B television reception service to 90,462 persons.² We noted

that the reallocation would provide Farmington with a second local and first competitive television service and also tentatively concluded that the reallocation would not deprive Gallup of its sole local television service, finding that the unbuilt Station KOAV-TV should not be considered as an existing service.

3. While we found that petitioner's proposal met the threshold requirements for further consideration, the *Notice* pointed out that granting the change of community must be predicated upon a finding that the reallocation would result in a preferential arrangement of allotments. In this regard, we noted that, as a Gallup station, KOAV-TV, with the facilities specified in the station's outstanding construction permit, would provide a first Grade B television reception service to 62,195 persons, as compared to only 11,232 persons as a Farmington station. Further, none of the persons residing within the Gallup first Grade B service contour would receive Station KOAV-TV's signal if operated as a Farmington station. We also stated that we were unable to confirm the claimed first and second Grade B service which Station KOAV-TV would provide as a Farmington station. Petitioner claimed that these figures were arrived at by factoring in terrain obstructions between Durango and the New Mexico communities of Farmington, Bloomfield and Aztec. Stating that it is impractical to determine the actual location of the Grade B contour in sparsely populated and often inaccessible rural areas based upon field strength measurements, petitioner based its population determinations upon the predicted contour locations of Stations KREZ-TV, KOBF, KKTO and KOAV-TV's assumed Farmington operation. Therefore, petitioner was requested to provide a map showing the approximate contour of Station KREZ, Channel 6, Durango, Colorado, as well as a map showing the contour for Station KOAV-TV reflecting the terrain shielding which would occur in the direction of Durango. We also stated our concern that the reallocation would result in the removal of Gallup's sole local potential service because, of the three channels allotted to Gallup, Channel 3 was the only channel which had been applied for. Therefore, since several UHF TV channels were available for allotment to Farmington, petitioner was requested to demonstrate why the public interest would not be better served by allotting a UHF TV channel to Farmington and retaining Channel 3 at Gallup.

PLEADINGS

4. In comments, petitioner provided further information to clarify the first and second Grade B coverage which would be furnished by a Channel 3 station at Farmington. According to the petitioner, the contour maps showing the present coverage of Station KREZ, Durango, and the predicted coverage of Station KOAV-TV, Farmington, were generated by the Communication System Performance Mode ("CSPM") program of the Institute for Telecommunications Sciences.³ It states that because terrain obstruc-

¹ After the record closed, the petitioner submitted a "Supplemental Engineering Statement," KOB filed a "Supplement to Reply Comments" and John W. Lee, permittee of a low power television station on Channel 25 at Farmington, NM (BPTTL-910503BV) submitted comments in opposition to the allotment of Channel 3 to Farmington. We will not accept these untimely filed comments since the Commission's rules do not contem-

plate the filing of pleadings beyond the comment and reply comment period set forth in the *Notice of Proposed Rule Making* and they have provided no information of decisional significance.

² These population figures are based on 1986 Census data.

³ The CSPM program was developed and is maintained by the Institute for Telecommunications Sciences ("ITS") of the Na-

tions impair use of the conventional method for determining Grade B coverage contours, the CSPM provides the most accurate method for making this determination. Petitioner has also used 1990 Census data for estimating the population within the stations' contours.

5. Based on its new study, petitioner states that a Farmington Station KOAV-TV will provide a first local service to 3,366 persons within a 3,162 square kilometer area and a second such service to 67,444 persons within a 10,176 square kilometer area.⁴ In addition, it submits that 45,000 people within a 12,545 square kilometer area which presently do not receive Durango Station KREZ will receive service from Station KOAV-TV. This includes the population of Farmington, since petitioner states that Station KREZ does not provide the community with Grade B service. Petitioner contends that this figure might even be larger because the CSPM map overlaying the Station KREZ and predicted Station KOAV-TV contours had to exclude part of Station KOAV-TV's predicted coverage area to the south in order to preserve an adequate level of detail in the maps.

6. Petitioner asserts that the existing arrangement of allotments at Farmington and Gallup do not comport with the Commission's television allotment policies as set forth in the *Sixth Report and Order on Television Allocations*.⁵ It submits that the Commission's action which resulted in these priorities make clear that "geographic, economic and population conditions" are considered in making allotments. Further, it points out that the Commission noted that the effectiveness of VHF channels in covering large areas made them more appropriate for larger cities, stating "metropolitan centers with their large aggregations of people should be assigned more VHF channels than communities comprising fewer people." Therefore, according to the petitioner, Farmington with a population almost twice the size of Gallup, but only one VHF and one UHF channel, as compared to Gallup's three VHF channels, warrants an additional VHF channel.

7. Further, it claims that the reallocation of VHF Channel 3 to Farmington, rather than the allotment of a UHF channel, would be more economical for the station operator as well as the viewing public. According to petitioner's engineering report, the Grade B contour of a VHF facility operating with 100 kW effective radiated power ("ERP") and a height above average terrain ("HAAT") of 150 meters would extend for 88.7 kilometers, assuming uniform terrain. To achieve the same contour on a UHF channel, the report states that an ERP of 5,000 kW and a HAAT of 355 meters would be required. Further, the report goes on to state that UHF transmission over rough terrain, such as that surrounding Farmington, is impaired by diffraction losses to a far greater extent than is VHF transmission, thus requiring a higher tower to overcome such losses. This more expensive facility, according to the report, is needed to achieve parity with Farmington's existing VHF Station

KOBF. In addition to the increased UHF construction cost, petitioner's engineering consultant goes on to state that a VHF facility would have to spend approximately \$35,000 per year for electric power while a UHF station would require an expenditure of approximately \$119,000. It argues that it would be a waste of natural resources to operate a high powered UHF transmitter while a more energy efficient alternative "lies fallow" at Gallup.

8. As to the costs incurred by the viewing public, petitioner states that those people in the outlying regions of the proposed coverage area who do not presently receive service from a UHF translator but who do receive Farmington's VHF Station KOBF, would have to purchase an additional antenna to receive a new UHF Farmington station. Of course, no such expenditure would be required if the new station were to operate within the VHF band.

9. Petitioner also contends that Channel 3 should not be considered as a "potential" service for Gallup. Referring to the reasoning set forth in its petition for rule making, petitioner argues that its bare construction permit for Station KOAV cannot be considered as an "existing service," citing in particular the Commission's *Modification of License MO&O, supra*, which equated "existing service" with an "operating station." Since Station KOAV-TV is not operating, there would be no disruption of service. This is particularly so, according to the petitioner, since Station KOAV-TV's anticipated program service was to be satellite retransmission of Albuquerque Station KOAT-TV's programming, which is currently carried in Gallup on the local cable television system and on a translator station, whose operations would not be affected by the reallocation of Channel 3 to Farmington. It states that Gallup has experienced almost stagnant growth over the last twenty years while Farmington has experienced approximately 200 percent of the growth seen in Gallup. Further, Gallup's county, McKinley has significantly lower per capita income levels as compared to Farmington's San Juan County. Petitioner argues that the fact that the three VHF channels have remained fallow since their allotment almost 40 years ago and that the petitioner faced no competing applicants for Channel 3 attests to the fact that the marketplace has found Gallup to be economically unviable. In fact, based on a subsequent review of economic factors, it now concludes that activating the station at Gallup would not be economically feasible.

10. Therefore, based on the above factors, petitioner submits that the reallocation of Channel 3 to Farmington would result in a preferential arrangement of allotments because it would provide "substantial" new first service as well as a first competitive and alternate source of local service, thereby advancing the Commission's first, third, and fourth allotment priorities. Finally, petitioner argues that its reallocation plan will result in the use of a scarce VHF channel in a viable market rather than allowing it to continue to remain fallow at Gallup.

tional Telecommunications and Information Administration ("NTIA"). According to the petitioner, the CSPM creates detailed shaded plots of field strength over a given geographic area using the ITS irregular terrain model which is a sophisticated propagation model.

⁴ The population figures set forth in petitioner's comments and reply comments are based on 1990 U.S. Census data.

⁵ The television allotment priorities are: (1) provide at least one television service to all parties of the United States; (2) provide each community with at least one television broadcast

station; (3) provide a choice of at least two television services to all parts of the United States; (4) provide each community with at least two television broadcast stations; and (5) any channels which remain unassigned under the foregoing priorities will be assigned to the various communities depending on the size of the population of each community, the geographical location of such community, and the number of television services available to such community from television stations located in other communities. See *Sixth Report and Order on Television Allocations*, 41 FCC 148, 167 (1952).

11. KOB, licensee of Stations KOB-TV, Albuquerque, and KOB-TV, Farmington, opposes the reallocation of Channel 3. It urges that Channel 3 remain allotted to Gallup, that one of the thirty-two available UHF channels be allotted to Farmington, and that Station KOAV-TV's license be modified to specify operation on the UHF channel. KOB states that, by the filing of its petition, the petitioner has shown its unwillingness to activate the channel at Gallup. In contrast, KOB states that it will promptly apply for, quickly construct and begin operating a station on Channel 3 at Gallup. In this regard, KOB points out that the Commission has a long-standing policy not to reallocate a channel where there has been an interest expressed in its use at its existing location, citing, among other cases, *Montrose and Scranton, Pennsylvania*, 5 FCC Rcd 6305, 6306 (1990). It recognizes that Section 1.420(i) of the Commission's Rules governing the modification of Station KOAV-TV's construction permit requires that the new channel at Farmington be mutually exclusive with the station's present channel at Gallup and that a UHF channel would not be mutually exclusive. However, KOB contends that the rule does not "preclude the Commission from modifying Station KOAV's permit, where it would serve the public interest, in order to accommodate KOB's counterproposal."

12. KOB states that the reallocation of Channel 3 would result in a loss of predicted first Grade B service, thus creating a "white area" encompassing 58,715 persons within a 8,801 square kilometer area. It points out that under Section 307(b) of the Communications Act, as well as the Commission's television allocation priorities, the provision of a first local service is the highest priority. KOB argues that there is no countervailing benefit accruing from the reallocation to Farmington of the only Gallup channel for which a construction permit is outstanding. KOB acknowledges that vacant VHF TV Channel 10 is available for application at Gallup. However, it contends that the activation of Channel 10 would be more disruptive to existing translator services than would Channel 3. KOB claims that if Channel 3 is allotted to Farmington and Channel 10 is activated at Gallup, the two stations could interfere with a total of 57 translator stations, 25 such stations by Channel 3 at Farmington and 32 translators by Channel 10 at Gallup. However, if Channel 3 is activated at Gallup, KOB contends that the station could interfere with only 13 translators. KOB recognizes that translators are secondary services and thus are not taken into consideration when making channel allotments. However, it argues that there is "strong" reason to take the translator stations into account in this case because of the unavailability of other over-the-air or cable services in the affected areas, citing *Seattle and Tacoma, Washington*, 52 R.R. 2d 211, 213 (1982).⁶

13. In reply, petitioner asserts that KOB's opposition is based less on a desire to serve the residents of Gallup than a wish to avoid competition in Farmington. It argues that KOB's concern over the loss of "predicted" first Grade B service to the Gallup area is not relevant since the Commission has historically been concerned only with the loss of existing service, not potential service. However, even if such a concern were relevant, petitioner points out that Channel 10 is available for use by a bona fide applicant. It submits that KOB's stated intent to apply for Channel 3 should not be considered as bona fide. Petitioner states that the Gallup channels were allotted almost 40 years ago but in the 35 years since KOB-TV was purchased, it has not expressed an interest in Gallup beyond operating a translator station. Therefore, it believes that with the existence of VHF TV Channel 10 and the potential to allot forty-three UHF channels, the removal of Channel 3 from Gallup cannot be considered as depriving the community of an opportunity for potential service. Petitioner also argues that the decision in *Montrose and Scranton, Pennsylvania*, *supra*, is not on point. In that case, the Commission denied a request to reallocate Channel 64 from Scranton to Montrose, as the community's first local television service, because two applications for use of the channel at Scranton were on file and had been granted cut-off protection and no replacement channel was available for allotment to Scranton. In this case, not only would the allotment of Channel 3 to Farmington provide a first Grade B service to 3,366 persons and a second Grade B service to over 67,000 persons, but VHF Channel 10 is already allotted to Gallup and available for application.

14. Finally, petitioner avers that while the activation of Channel 3 at Farmington and Channel 10 at Gallup may impact some existing translator stations, the impact described by KOB is "greatly exaggerated. Petitioner states that the use of Channel 3 at Farmington will not affect any of the twenty-five translator stations identified by KOB. As to the use of Channel 10 at Gallup, petitioner states that only one translator would definitely be displaced and two more would require further study. In any event, petitioner reiterates that these services are of a secondary nature and not entitled to protection from the activation of a full-service station. Further, petitioner states that the residents of Gallup are served by a cable television system which carries twenty-seven stations on its basic tier, including the following Albuquerque television stations: KGGM-TV; KGSW-TV, KNME-TV; KOAT-TV; and KOB-TV.

15. KOB, in reply comments, contends that the petitioner has failed to show that the reallocation of Channel 3 to Farmington would result in a preferential arrangement of allotments because, among other things, it would thwart the fulfillment of the Commission's highest allotment priority, that is the provision of a first local service to every community. It also resubmits that the creation of a "white"

⁶ Contrary to KOB's apparent assertion, the Commission does not accord translator stations any weight in deciding allotment cases. In *Seattle-Tacoma, Washington*, the Commission substituted noncommercial educational television Channel *28 for Channel *62 at Tacoma, WA, and substituted Channel *62 for Channel *28 at Seattle. The Commission found that the public interest would be served by the channel substitutions because it would eliminate a contested hearing and thereby bring service to the public more quickly. Only after having found the change to be in the public interest on this basis did the Commission go on to state that we "have no desire to disturb the current

service provided by translators in southwestern Washington. In particular here, the translators are limiting the signal of Station KTPS [the proponent] in this area." The Commission did not grant the substitution of channels because of any negative impact on the existing translators if Channel *62 were activated at Tacoma. In fact, in ruling on the objection of the low power television station applicant for Channel *28 in Seattle, who would be precluded if the channel were reallocated to Tacoma, the Commission went on to state that a full-service television station takes precedence over a proposal for a low power television facility.

area encompassing 53,667 persons within a 5,931 square kilometer area outweighs any benefits arising from the reallocation. KOB states that the Commission and the courts have long held that losses in service are *prima facie* inconsistent with the public interest, citing *West Michigan Telecasters, Inc. v. FCC*, 460 F. 2d 883, 889 (D.C. Cir. 1972). As to the service gains accruing from the reallocation, KOB contends that the petitioner's figures are flawed because it has utilized a computer propagation model which has earlier been rejected by the Commission, fails to use the proper method with regard to the Grade B contour of Station KKTO, Channel 2, Sante Fe, New Mexico, fails to consider the Grade B contour of Station KCHF, Channel 11, Sante Fe, and rests on hypothetical facilities for Station KOAV-TV at Farmington which it may not be able to build. KOB states that the petitioner has based its coverage area on greatly increased height above average terrain and effective radiated power from that authorized in Station KOAV-TV's present construction permit. Because of these increases, KOB states that there is no assurance that the petitioner will receive the needed approval from the Federal Aviation Administration ("FAA") or local zoning authorities. Further, it argues that petitioner's sole reason for seeking the proposed reallocation is economic. KOB points out that the petitioner has stated that "activation of Station KOAV-TV at Gallup would not be economically feasible," but argues that the Commission is not the guarantor of the financial success of licensees.

16. KOB also again urges the allotment of a UHF channel to Farmington for use by the petitioner. It disputes petitioner's claim that the Commission intended that VHF channels be allotted solely to metropolitan areas and that Farmington is such an area. Rather, it states that Farmington, like Gallup, is a rural community. Further, it points out that the Commission, in adopting the Table of Television Allotments, stated that it did not believe that metropolitan areas should receive an undue share of the VHF channels and thus adopted a Table which allotted a substantial number of VHF channels to smaller communities and sparsely populated areas. See, *Sixth Report and Order*, 41 FCC at 168. Further, it states that the petitioner has not cited any case where the Commission has reallocated a channel from one community to another because of its larger population, and allegedly greater cultural, commercial significance or better economic circumstances, where the reallocation would create a substantial loss of first service. KOB also questions the petitioner's argument that the allotment of a UHF channel would impose additional costs on the potential viewers. It states that there are twelve UHF TV translators and low power stations in the Farmington area, thus doubting that there are any significant number of viewers in the area which do not have antennas capable of receiving UHF signals.

17. Finally, KOB states that petitioner's assumption that Channel 3 will remain fallow if not reallocated to Gallup is incorrect. It states that it is committed to applying for a new television station on Channel 3 and promptly building and operating the station if authorized.

DISCUSSION

18. We have carefully reviewed the pleadings before us and find that the public interest would be served by reallocation of Channel 3 from Gallup to Farmington since it could provide the larger community with its second local and first competitive television service and provide a first

Grade B service to 3,366 persons within a 3,162 square kilometer area and a second such service to 67,444 persons within a 10,176 square kilometer area.

19. KOB has forcefully argued that the removal of Channel 3 from Gallup will result in the creation of a "white area" encompassing some 62,000 people. However, in this case, we find that this fact is not sufficient to warrant the denial of the reallocation. As stated in *Modification of License MO&O, supra*, the Commission is particularly concerned with the removal of an existing service, whether it is a transmission or reception service, or both. The Commission went on to define an existing service for purposes of this rule as a station which has been constructed. In this case, Station KOAV-TV is unbuilt and thus not operational. Therefore, there is no present service which the residents of Gallup and the surrounding area have come to rely on. Further, while the failure to activate Channel 3 at Gallup will perpetuate the existing "white area," it will not create one. Thus, while we are concerned with the potential loss of service which will occur with the activation of Channel 3 at Farmington and not Gallup, we believe this loss is mitigated by the fact that Station KOAV-TV is, at this time, an unconstructed station and not a service upon which the public has come to rely on.

20. We also believe that this potential loss of service is mitigated by the availability of Channel 10 at Gallup which can be applied for by KOB or any other interested party. Our engineering studies confirm that Channel 10 can provide the same public interest benefits as Channel 3 could have, i.e., provided service to 62,000 people in a "white area" and a first local television service to Gallup. Further, although KOB is concerned about the possible impact of Channel 10 on present translator services in the area, we find this argument to be without merit. We reiterate that the Commission's Rules hold that translator stations are secondary services not protected from interference from full-service stations. Specifically, Section 74.702(b) of the Commission's Rules states that changes to the Table of Television Allotments may be made without regard to existing or proposed translator stations and, if the translator causes interference to a full-service station, it is the responsibility of the translator station to either eliminate the interference or file an application for a change in its assigned channel.

21. In addition, we do not find that KOB's expressed intent to apply for and operate a station on Channel 3 at Gallup sufficient to warrant the denial of petitioner's proposal. While we note that the petitioner has stated that it does not intend to construct the station unless Channel 3 is reallocated to Farmington, we believe that the channel is not now available for application by other parties. Petitioner remains a valid permittee for Channel 3 at Gallup until such time as the permit is voluntarily relinquished by the petitioner or cancelled by the Commission. Likewise, we will not allot one of the available UHF channels to Gallup and modify Station KOAV-TV's construction permit accordingly. First of all, the ability of a station to invoke the provisions of Section 1.420(i) of the Commission's Rules is limited to those instances which involve modification to co- and adjacent channels. In this case, the modification of Station KOAV-TV's Channel 3 construction permit to any UHF station would involve a non-adjacent channel. Secondly, it is Commission policy to allot a channel to a community only after a party has expressly stated its intention to apply for the channel and operate a station thereon, a situation which does not exist here. Thirdly, while the

Commission does routinely modify FM and TV station licenses to accommodate new allotments elsewhere, this is done only after a determination has been made that a sufficiently compelling public interest benefit exists to warrant such a license modification. No such finding can be made here as KOB has not shown that any compelling public interest benefit, such as the allotment of a new frequency to a community or the improvement in an existing one, would result from the modification of Station KOAV-TV to a UHF channel. Rather, the only "benefit" which KOB espouses is that there will be less impact on secondary translator services if Channel 3 is activated at Gallup and a UHF channel is activated at Farmington. We also find that the lack of a public interest benefit is magnified by the fact that a vacant and unapplied-for VHF TV channel remains allotted to Gallup for the use of KOB or any other party interested in operating a television station at Gallup.

22. Finally, we would like to point out that if Station KOAV-TV were an operating station at Gallup, we would be less inclined to reallocate Channel 3 to Farmington as it would involve the removal of a community's sole local operating station and the necessary public interest justification is infinitely greater. The decision would be based on the television priorities, which are: (1) provide at least one television service to all parts of the United States; (2) provide each community with at least one television broadcast station; (3) provide a choice of at least two television services to all parts of the United States; (4) provide each community with at least two television broadcast stations; and (5) any channels which remain unassigned under the foregoing priorities will be assigned to the various communities depending on the size of the population of each community, the geographical location of such community, and the number of television services available to such community from television stations located in other communities. See *Amendment of the Commission's Rules and Regulations Concerning The Television Broadcast Service*, 41 FCC 148, 167 (1952). In this case, the use of Channel 3 at either Gallup or Farmington would fulfill priority (1) by providing a first television reception service. However, its use at Gallup would provide such service to approximately 62,000 people while its use at Farmington would result in a first reception service to only 3,366 persons. Further, because we would be concerned with an existing service, the channel's reallocation would create, rather than perpetuate, a "white area" of over 62,000 persons. In addition, Channel 3 at Gallup would represent the community's sole local television service, thus fulfilling priority (2) on the other hand, because Farmington already has an operating television station, the allotment of Channel 3 would fulfill only priorities (3) and (4) by providing 67,444 persons with either a second reception or second local service.

Technical Summary

23. Channel 3 can be allotted to Farmington in compliance with the Commission's minimum distance separation requirements with a site restriction of 4.7 kilometers (2.9 miles) southeast.⁷ Although the Commission has imposed a

temporary freeze on new television allotments in certain metropolitan areas, the proposed allotment at Farmington is not affected.⁸

24. 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 April 8, 1996, the Television Table of Allotments, Section 73.606(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

City	Channel No.
Farmington, New Mexico	3, 12+, *15
Gallup, New Mexico	*8-, 10

25. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the construction permit of Pulitzer Broadcasting Company, for Station KOAV-TV, Channel 3, IS MODIFIED to specify Farmington, New Mexico, instead of Gallup, New Mexico, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for a construction permit (Form 301).
- (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.

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

27. For further information concerning this proceeding, contact Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

⁷ The coordinates for Channel 3 at Farmington are 36-41-48 North Latitude and 108-10-39 West Longitude.

⁸ See Order, *Advanced Television Systems and Their Impact on*

the Existing Television Broadcast Service, 52 Fed. Reg. 28346, published July 29, 1987.