

FCC MAIL SECTION

Federal Communications Commission

DA 98-1484

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

In the Matter of	)	
	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. 96-231
Table of Allotments,	)	RM-8903
FM Broadcast Stations.	)	
(Redwood, Mississippi)	)	
	)	

**REPORT AND ORDER**  
(Proceeding Terminated)

Adopted: July 22, 1998

Released: July 31, 1998

By the Chief, Allocations Branch:

1. The Commission considers herein the *Notice of Proposed Rule Making* ("Notice"), 11 FCC Rcd 14578 (1996), issued in response to a petition for rule making filed by Dominant Communications Corporation ("petitioner") proposing the allotment of Channel 288A to Redwood, Mississippi, as the community's first local aural transmission service. Petitioner filed comments in response to the *Notice*. No other comments were received.

2. The *Notice* was issued based upon the petitioner's desire to provide a first local aural transmission service to Redwood (pop. 200).<sup>1</sup> In view of Redwood's small size, and in the absence of additional evidence to support the proposal, petitioner was requested to provide additional information to establish that Redwood is a *bona fide* community, as that term is defined for purposes of Section 307(b) of the Communications Act of 1934, as amended, for allotment objectives consistent with the guidelines set forth in the *Notice*.

3. In responsive comments petitioner states that Redwood has several establishments that identify themselves specifically with Redwood such as the Redwood Auto Repair, a convenience store, Mississippi Pacific Corporation and Tab Well Services, all of which contain a Redwood address. Additionally, petitioner reports that Redwood contains a post office (zip code 39156), as well as an elementary school. Further, petitioner advises that the Redwood United Methodist Church has been a landmark in the community for years. Petitioner also states that Redwood has a volunteer fire department.

<sup>1</sup>Population figure was taken from the *Rand McNally Commercial Atlas and Marketing Guide* (1998 Ed.).

4. In addition to the above, it has come to our attention that Redwood is attributed with several other businesses. Among those entities are the Redwood Beauty Salon, Yazoo Valley Electric Power, BN Simrall & Son, Inc., Flweree Planning Company, S & S Grocery, and the International Paper Company. While Redwood has no autonomous governing body, it does provide some municipal services including a school, fire protection, a post office and electricity. Although Redwood does not appear to have a local police force, garbage collection, water district or sewerage, the Commission has stated that a municipality need not provide every public service on its own in order to merit community status. Nor is the absence of a newspaper or a bank fatal to community status. See *Implementation of BC Docket No. 80-90 to Increase the Availability of FM Broadcast Assignments (Semora, North Carolina)*, 5 FCC Rcd 934, 935 (1990).

5. In consideration of the above, we believe that Redwood contains sufficient indicia to conclude that it is a community for allotment purposes. See *Ocracoke, North Carolina*, 6 FCC Rcd 6050 (1991). It is an identifiable population grouping with business entities that identify themselves with the residents of Redwood. See *Garrison, Kentucky*, 6 FCC Rcd 1428 (1991). Therefore, we will allot Channel 288A to Redwood, Mississippi, as requested.

6. As stated in the *Notice*, Channel 288A can be allotted to Redwood, Mississippi, in conformity with the minimum distance separation requirements of Section 73.207(b)(1) of the Commission's Rules, provided the transmitter therefor is sited at least 2.8 kilometers (1.7 miles) south of the community, utilizing in this instance coordinates 32-27-13 NL and 90-48-42 WL.<sup>2</sup>

7. 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 14, 1998, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED to include Redwood, Mississippi, as follows:

<u>City</u>	<u>Channel No.</u>
Redwood, Mississippi	288A

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

9. A filing window for Channel 288A at Redwood, Mississippi, will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent Order.

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<sup>2</sup>The site restriction is required to avoid a short spacing to the licensed site of Station WNLA-FM, Channel 288A, Indianola, Mississippi, at coordinates 33-28-41 NL and 90-38-28 WL.

10. For further information concerning this proceeding, contact Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**FEDERAL COMMUNICATIONS COMMISSION**

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