

expect Rainbow to commence construction. We therefore conclude that the rule should be waived and Rainbow's construction should be deemed to be timely. In the alternative, Rainbow should be deemed to have satisfied the requirements of section 73.3534(b)(3).

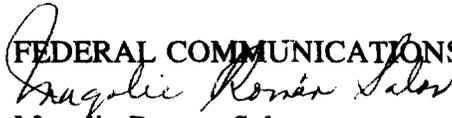
52. ACCORDINGLY, IT IS ORDERED, That the Petition for Leave to Intervene to File Exceptions and Reopen the Record, filed September 25, 1997, by Gannett Communications IS DENIED and the Motion to Strike [Gannett's Reply to Oppositions to Petition for Leave to Intervene to File Exceptions and Reopen the Record], filed October 22, 1997, by Rainbow Broadcasting Company and Rainbow Broadcasting, Ltd. IS DISMISSED as moot.

53. IT IS FURTHER ORDERED, That the Consolidated Exceptions and Brief of Press Broadcasting, Inc. and the Separated Trial's Staff's Exceptions to Initial Decision, filed May 16, 1997 ARE DENIED and that the Initial Decision of Administrative Law Judge Joseph Chachkin (FCC 97D-05), 12 FCC Rcd 4028 (1997) IS AFFIRMED as modified herein.

54. IT IS FURTHER ORDERED, That the provisions of 47 C.F.R. § 73.3598(a), as applied to Rainbow Broadcasting Company, ARE WAIVED and that the applications of Rainbow Broadcasting Company (File Nos. BMPCT-910625KP and BMPCT-910125KE) for extension of time to construct Station WRBW(TV), Orlando, Florida, ARE DISMISSED as moot, or, in the alternative ARE GRANTED.

55. IT IS FURTHER ORDERED, That, good cause having been shown, the application of Rainbow Broadcasting Company (File No. BTCCT-911129KT) for assignment of its construction permit for Station WRBW(TV) to Rainbow Broadcasting Limited IS GRANTED.

56. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED and the Motion for Consolidation of Proceedings, filed December 10, 1997, by Rainbow Broadcasting Company and Rainbow Broadcasting Limited IS DISMISSED as moot.⁴

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas
Secretary

⁴ Rainbow seeks to consolidate this proceeding with consideration of an application seeking to assign Rainbow's station, WRBW(TV), to United Television, Inc. (File No. BAPCT-971023232IA).