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

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | |
| Amendment of Section 73.202(b), | ) | |
| Table of Allotments, | ) | |
| FM Broadcast Stations. | ) | |
| (Meyersdale, Pennsylvania) | ) | MM Docket No. 98-28 |
| | ) | RM-9234 |
| | ) | |
| (Richwood, West Virginia) | ) | MM Docket No. 98-33 |
| | ) | RM-9224 |
| | ) | |
| (Newell, Iowa) | ) | MM Docket No. 98-71 |
| | ) | RM-9266 |
| | ) | |
| (Superior, Wyoming) | ) | MM Docket No. 98-109 |
| | ) | RM-9282 |
| | ) | |
| (La Center, Kentucky) | ) | MM Docket No. 98-114 |
| | ) | RM-9298 |
| | ) | |
| (Lovell, Wyoming) | ) | MM Docket No. 98-116 |
| | ) | RM-9281 |
| | ) | |
| (Royal City, Washington) | ) | MM Docket No. 98-150 |
| | ) | RM-9302 |
| | ) | |

**REPORT AND ORDER**
**(Proceeding Terminated)**

**Adopted: April 7, 1999; Released: April 16, 1999**

By the Chief, Allocations Branch:

1. The Commission has before it seven Notices of Proposed Rule Making ("NPRMs"), specified below, setting forth separate proposals to allot channels to specific communities. Although these NPRMs were issued separately and the proposals are not mutually exclusive with each other, we are consolidating them in this Report and Order as part of our effort to expedite

and make more efficient the FM allotment rulemaking process because these proceedings are uncontested. While consolidated, these dockets are still separate for finality purposes. In the event a reconsideration petition is directed to an action in a particular docket, a separate Memorandum Opinion and Order will resolve that reconsideration petition.

2. Each petitioner filed comments in support of its proposal, reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements, and we continue to believe that each proposal would serve the public interest. Accordingly, we adopt each proposal as originally proposed. These are as follows:

**A. MM Docket No. 98-28; RM-9234; 13 FCC Rcd 4581 (1998)**

**Action:** At the request of Douglas M. Dasdorf, we are allotting Channel 253A at Meyersdale, Pennsylvania, as the community's second local FM transmission service.

**Coordinates:** The reference coordinates for Channel 253A at Meyersdale are 39-48-42 North Latitude and 79-01-36 West Longitude.

**Additional Information:** This allotment is at city reference coordinates and requires no site restriction. Since Meyersdale is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been obtained.

**FCC Contact:** Sharon P. McDonald (202) 418-2180.

**B. MM Docket No. 98-33; RM-9232; 13 FCC Rcd 4988 (1998)**

**Action:** At the request of J&K Broadcasting, Inc., we are allotting Channel 288A at Richwood, West Virginia, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 288A at Richwood are 38-13-42 North Latitude and 80-31-48 West Longitude.

**Additional Information:** This allotment is at city reference coordinates and requires no site restriction.

**FCC Contact:** Sharon P. McDonald (202) 418-2180.

**C. MM Docket No. 98-71; RM-9266; 13 FCC Rcd 10249 (1998)**

**Action:** At the request of Robert J. Maines, Jr., we are allotting Channel 265A at Newell, Iowa, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 265A at Newell are 42-36-04 North Latitude and 95-04-21 West Longitude.

**Additional Information:** This allotment requires a site restriction of 5.7 kilometers (3.5 miles) west to avoid a short-spacing to the licensed site of Station KJYL(FM) Channel 264C3, Eagle Grove, Iowa.

**FCC Contact:** Sharon P. McDonald (202) 418-2180.

**D. MM Docket No. 98-109; RM-9282; 13 FCC Rcd 12733 (1998)**

**Action:** At the request of Windy Valley Broadcasting, we are allotting Channel 293C at Superior, Wyoming, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 293C at Superior are 41-46-12 North Latitude and 108-58-12 West Longitude.

**Additional Information:** This allotment is at city reference coordinates and requires no site restriction.

**FCC Contact:** Sharon P. McDonald (202) 418-2180.

**E MM Docket No. 98-114; RM-9298; 13 FCC Rcd 12728 (1998)**

**Action:** At the request of Billy R. Evans, we are allotting Channel 282A at La Center, Kentucky, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 282A at La Center are 37-04-22 North Latitude and 88-52-25 West Longitude.

**Additional Information:** This allotment requires a site restriction of 8.8 kilometers (5.5 miles) east to avoid a short-spacing to the licensed site of Station WFGE(FM), Channel 279C1, Murray, Kentucky, at petitioner's requested site.

**FCC Contact:** Sharon P. McDonald (202) 418-2180.

**F. MM Docket No. 98-116; RM-9281; 13 FCC Rcd 12756 (1998)**

**Action:** At the request of Windy Valley Broadcasting, we are allotting Channel 296C at Lovell, Wyoming, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 296C at Lovell are 44-36-23 North Latitude and 108-23-30 West Longitude.

**Additional Information:** This allotment requires a site restriction of 25.4 kilometers (15.8 miles) south of the community at petitioner's requested site.

**FCC Contact:** Sharon P. McDonald (202) 418-2180.

**G. MM Docket No. 98-150; RM-9302; 13 FCC Rcd 15360 (1998)**

**Action:** At the request of Royal Communications, we are allotting Channel 228A at Royal City, Washington, as the community's second local FM transmission service.[1] Barbara J. Geesman Chase also filed comments in support of the allotment stating her intention to apply for the channel, if allotted.

**Coordinates:** The reference coordinates for Channel 228A at Royal City are 46-48-25 North Latitude and 119-33-12 West Longitude.

**Additional Information:** This allotment requires a site restriction of 12 kilometers (7.4 miles) southeast of the community at petitioner's requested site. Since Royal City is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been obtained.

**FCC Contact:** Sharon P. McDonald (202) 418-2180.

3. Accordingly, pursuant to the authority found 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 **June 1, 1999**, the FM Table

[1]As stated in the Notice, petitioner's request, although signed, failed to include an affidavit verifying the statements contained in his petition were accurate, as required by Section 1.52 of the Commission's Rules. Petitioner was requested to correct the deficiency in his responsive comments, and has complied accordingly.

of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

| Community | Channel No. |
|---|---|
| Meyersdale, Pennsylvania | 227A, 253A |
| Richwood, West Virginia | 288A |
| Newell, Iowa | 265A |
| Superior, Wyoming | 293C |
| La Center, Kentucky | 282A |
| Lovell, Wyoming | 296C |
| Royal City, Washington | 228A, 242C2[2] |

4. The window period for filing applications for these allotments will not be opened at this time. Instead, the issue of opening a filing window for these allotments will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

6. For further information concerning a specific docket, contact the FCC Contact listed above for that docket. Questions related to the window application filing process should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

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

[2]Station KRCW(FM)'s one-step upgrade application (File No. BPH-980617IF) requesting the substitution of Channel 242C2 for Channel 242C3 at Royal City, Washington, was granted on September 30, 1998.