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FCC MAIL SECTION

Federal Communications Commission DA 99-1347

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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.	)	
(Saltillo, Mississippi)	)	MM Docket No. 99-2 RM-9347
(Rozel, Kansas)	)	MM Docket No. 99-3 RM-9427
(New Castle, Colorado)	)	MM Docket No. 99-27 RM-9437
(Walden, Colorado)	)	MM Docket No. 99-29 RM-9439
(Aberdeen, Idaho)	)	MM Docket No. 99-30 RM-9443
(Palisade, Colorado)	)	MM Docket No. 99-31 RM-9444
(Rye, Colorado)	)	MM Docket No. 99-32 RM-9445
(Burdett, Kansas)	)	MM Docket No. 99-33 RM-9453

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 30, 1999 **Released: July 9, 1999**

By the Chief, Allocations Branch:

1. The Commission has before it for consideration multiple dockets contained in two separate Notices of Proposed Rule Making ("NPRMs"), as specified below, setting forth individual proposals to allot channels to specific communities. The proposals set forth in the NPRMs were not mutually exclusive with each other, and those that remain so are

consolidated 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. However, these consolidated 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 follows:

(1) MM Docket No. 99-2; RM-9347; 14 FCC Rcd 850 (1999)

Action: At the request of Broadcasters & Publishers, Inc., we are allotting Channel 275C3 to Saltillo, Mississippi, as that community's first local aural transmission service.[1]

Coordinates: 34-23-56 NL and 88-34-06 WL

Additional Information: The allotment of Channel 275C3 to Saltillo requires a site restriction 10.7 kilometers (6.7 miles) east of the community.

FCC Contact: Nancy Joyner, (202) 418-2180.

(2) MM Docket No. 99-3; RM-9427; 14 FCC Rcd 850 (1999)

Action: At the request of Dana Puopolo, we are allotting Channel 273A to Rozel, Kansas, at that community's first local aural transmission service.[2]

Coordinates: 38-11-42 NL and 99-24-24 WL

Additional Information: Channel 273A can be allotted to Rozel, without a site restriction.

FCC Contact: Nancy Joyner, (202) 418-2180.

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[1]As indicated in the NPRM, a proposal to reallot Channel 240C3 from Potts Camp, Mississippi, to Saltillo, Mississippi, as a first local service was denied in the context of MM Docket No. 97-107. See 13 FCC Rcd 11909 (1998); app. for rev. pending.

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

(3) MM Docket No. 99-27; RM-9437; 14 FCC Rcd 2275 (1999)

Action: At the request of Mountain West Broadcasting, we are allotting Channel 233A to New Castle, Colorado, as that community's first local commercial FM transmission service.

Coordinates: 39-34-12 NL and 107-31-54 WL

Additional Information: Channel 233A can be allotted to New Castle without a site restriction.

FCC Contact: Nancy Joyner, (202) 418-2180.

(4) MM Docket No. 99-29; RM-9439; 14 FCC Rcd 2275 (1999)

Action: At the request of Mountain West Broadcasting, and as supported by High Country Radio Network, we are allotting Channel 231C2 to Walden, Colorado, as that community's first local aural transmission service.

Coordinates: 40-41-54 NL and 106-29-48 WL

Additional Information: Channel 231C2 can be allotted to Walden with a site restriction 18.5 kilometers (11.5 miles) west to avoid short-spacing to cut-off applications for Channel 232C3 at Wellington, Colorado.

FCC Contact: Nancy Joyner, (202) 418-2180.

(5) MM Docket No. 99-30; RM-9443; 14 FCC Rcd 2275 (1999)

Action: At the request of Mountain West Broadcasting, we are allotting Channel 258C2 to Aberdeen, Idaho, as that community's first local aural transmission service.

Coordinates: 43-00-27 NL; 112-41-54 WL

Additional Information: Channel 258C2 can be allotted to Aberdeen with a site restriction 13.5 kilometers (8.4 miles) northeast to avoid a short-spacing to Station KZDX(FM), Channel 260C, Burley, Idaho.

FCC Contact: Nancy Joyner, (202) 418-2180.

(6) MM Docket No. 99-31; RM-9444; 14 FCC Rcd 2275 (1999)

Action: Although Channel 295C3 was requested by Mountain West Broadcasting for allotment to Palisade, Colorado, as that community's first local aural transmission service, we are

allotting 253C3 to that community instead to avoid a conflict with mutually exclusive counterproposals filed in the context of MM Docket No. 98-188.

Coordinates: 39-06-30 NL; 108-21-06 WL

Additional Information: Channel 255C3 can be allotted to Palisade without a site restriction.

FCC Contact: Nancy Joyner, (202) 418-2180.

(7) MM Docket No. 99-32; RM-9445; 14 FCC Rcd 2275 (1999)

Action: At the request of Mountain West Broadcasting, we are allotting Channel 285A to Rye, Colorado, as that community's first local commercial FM transmission service.

Coordinates: 37-55-18 NL; 104-55-48 WL

Additional Information: Channel 285A can be allotted to Rye without a site restriction.

FCC Contact: Nancy Joyner, (202 418-2180.

(8) MM Docket No. 99-33; RM-9453; 14 FCC Rcd 2275 (1999)

Action: At the request of Dana Puopolo, we are allotting Channel 228A to Burdett, Kansas, as that community's first local aural transmission service.[3]

Coordinates: 38-11-30 NL; 99-31-30 WL

Additional Information: Channel 228A can be allotted to Burdette without a site restriction.

FCC Contact: Nancy Joyner, (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 August 23, 1999, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

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

Community	Channel No.
Saltillo, Mississippi	275C3
Rozel, Kansas	273A
New Castle, Colorado	233A
Walden, Colorado	231C2
Aberdeen, Idaho	258C2
Palisade, Colorado	253C3
Rye, Colorado	285A
Burdett, Kansas	228A

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 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