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Federal Communications Commission DA 99-1375

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DISP

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.	)	
	)	
(Tecopa, California)	)	MM Docket No. 99-46
	)	RM-9470
	)	
(Council Grove, Kansas)	)	MM Docket No. 99-47
	)	RM-9471
	)	
(Carbondale, Colorado)	)	MM Docket No. 99-48
	)	RM-9472
	)	
(El Jebel, Colorado)	)	MM Docket No. 99-49
	)	RM-9473

REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 7, 1999 **Released: July 16, 1999**

By the Chief, Allocations Branch:

1. The Commission has before it for consideration a multiple docket Notice of Proposed Rule Making ("NPRM"), as specified below, setting forth separate proposals to allot channels to specific communities. The proposals set forth in the above-captioned NPRM 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. 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 follows:

(1) MM Docket No. 99-46; RM-9470; 14 FCC Rcd 2829 (1999)

Action: Hodson Broadcasting requested the allotment of Channel 291A to Tecopa, California, as that community's first local aural transmission service. As Tecopa is not incorporated nor listed in the U.S. Census, the Notice herein directed the petitioner to provide additional information regarding the attributes of Tecopa to determine whether it is a bona fide community for allotment purposes. In response, petitioner supplied sufficient information to satisfy our concerns. Therefore, we are allotting Channel 291A to Tecopa, California, as that community's first local aural transmission service as requested.

Coordinates: 35-50-48 NL; 116-13-24 WL

Additional Information: Channel 291A can be allotted to Tecopa without a site restriction.

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

(2) MM Docket No. 99-47; RM-9471; 14 FCC Rcd 2829 (1999)

Action: At the request of Dana Puopolo, and as supported by KXOJ, Inc., we are allotting Channel 281C3 to Council Grove, Kansas, as that community's first local aural transmission service.[1]

Coordinates: 38-39-42 NL; 96-29-18 WL

Additional Information: Channel 281C3 can be allotted to Council Grove without a site restriction.

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

(3) MM Docket No. 99-48; RM-9472; 14 FCC Rcd 2829 (1999)

Action: At the request of Mountain West Broadcasting, we are allotting Channel 244A to Carbondale, Colorado, as that community's first local commercial FM transmission service.

Coordinates: 39-25-30 NL; 107-22-43 WL

Additional Information: Channel 244A can be allotted to Carbondale with a site restriction 14.6 kilometers (9.1 miles) west of the community to avoid a short-spacing to the licensed site of Station KXPX(FM), Channel 243C, Evergreen, Colorado, at coordinates 39-40-35 NL and 105-29-09 WL.

[1]As stated in the NPRM, the petitioner's request did not include an affidavit verifying statements contained in his petition, 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.

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

(4) MM Docket No. 99-49; RM-9473; 14 FCC Rcd 2829 (1999)

Action: At the request of Mountain West Broadcasting, we are allotting Channel 263A to El Jebel, Colorado, as that community's first local aural transmission service.

Coordinates: 39-23-42 NL; 107-06-29 WL

Additional Information: Channel 263A can be allotted to El Jebel with a site restriction 1.6 kilometers (1 mile) west of the community to avoid short-spacing to the licensed site of Station KIMN(FM), Channel 262C, Denver, Colorado, at coordinates 39-40-19 NL and 105-13-11 WL.

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 30, 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:

Community	Channel No.
Tecopa, California	291A
Council Grove, Kansas	281C3
Carbondale, Colorado	244A
El Jebel, Colorado	263A

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 person 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