

FCC MAIL SECTION

Federal Communications Commission

DA 00-1000

MAY 12 2 21 PM '00

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

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. 99-337
Table of Allotments,	)	RM-9524
FM Broadcast Stations.	)	
(Santa Anna, Texas)	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: April 26, 2000**

**Released: May 12, 2000**

By the Chief, Allocations Branch:

1. In response to a Petition for Rule Making filed by Wagonwheel Broadcasting of Santa Anna ("Wagonwheel"), the Commission has before it for consideration the Notice of Proposed Rule Making, 14 FCC Rcd 19474 (1999), seeking the allotment of Channel 288C3 at Santa Anna, Texas.<sup>1</sup> Wagonwheel filed comments reiterating its intention to apply for Channel 288C3 at Santa Anna. No other comments were received in response to the Notice.
2. We believe the public interest would be served by the allotment of Channel 288C3 at Santa Anna, Texas, as it will provide the community with its first local service. Channel 288C3 can be allotted to Santa Anna with a site restriction 12.7 kilometers (7.9 miles) south of the community.<sup>2</sup> The site restriction will prevent a conflict with Station KEAN, Channel 286C1, Abilene, Texas. Since Santa Anna is located within 320 kilometers of the U.S.-Mexican Border, concurrence of the Mexican Government has been obtained for the allotment at Santa Anna.
3. 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 June 26, 2000, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, as follows:

<sup>1</sup> Wagonwheel filed a petition for rule making on December 10, 1998, requesting the allotment of Channel 290C2 at Santa Anna, Texas, which conflicted with counterproposals filed in MM Docket No. 98-198, Cross Plains, Texas. See 13 FCC Rcd 20965 (1998). On August 4, 1999, Wagonwheel withdrew its interest in Channel 290C2 at Santa Anna and requested the allotment of Channel 288C3 in lieu of Channel 290C2.

<sup>2</sup> The coordinates for Channel 288C3 at Santa Anna are 31-37-38 NL and 99-20-03 WL.

Community	Channel Number
Santa Anna, Texas	288C3

4. A filing window for Channel 288C3, Santa Anna, Texas, Channel 288C3, 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.

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

6. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180. Questions related to the application filing process for Channel 288C3 at Santa Anna, Texas, 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