

FCC MAIL ROOM

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

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In the Matter of)	
)	
Amendment of Section 73.202(b),)	
FM Table of Allotments,)	MM Docket No. 00-149
FM Broadcast Stations.)	RM-9940
(Smiley, Texas))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 11, 2000;

Released: October 20, 2000

By the Chief, Allocations Branch:

1. The Allocations Branch has before it a *Notice of Proposed Rule Making*, 15 FCC Rcd 15809 (2000), issued at the request of Smiley Community Radio Company ("petitioner"), requesting the allotment of Channel 280A at Smiley, Texas, as the community's first local aural transmission service. On October 10, 2000, petitioner filed a request for withdrawal of its petition.¹ A showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest. No other comments were filed. Therefore, we will grant petitioner's request to dismiss the instant proposal.

2. Accordingly, IT IS ORDERED, That the petition for rule making filed by Smiley Community Radio Company, IS DISMISSED.

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

4. For further information concerning this proceeding, contact Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

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

¹ In accordance with Section 1.420(j) of the Commission's Rules, petitioner states that it has neither been paid nor promised to be paid any money or other consideration in exchange for its withdrawal.