

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

In the Matter of )  
 )  
Amendment of Section 73.202(b), )  
FM Table of Allotments, )  
FM Broadcast Stations. )  
(Big Piney and La Barge, Wyoming) )

MM Docket No. 01-113 /  
RM-9655

REPORT AND ORDER (Proceeding Terminated)

Adopted: November 21, 2001

Released: November 30, 2001

By the Chief, Allocations Branch:

1. The Allocations Branch has before it a *Notice of Proposed Rulemaking* ("Notice")<sup>1</sup> issued in response to a petition filed by Mount Rushmore Broadcasting, Inc. ("petitioner") requesting the allotment of Channel 259A at Big Piney, Wyoming, and Channel 261A at La Barge, Wyoming. Petitioner filed no comments in response to the *Notice*. We received no other comments or expressions of interest in either allotment.

2. As stated in the Appendix to the *Notice*, "the proponent of a proposed allotment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is allotted and, if authorized, to build a station promptly. Failure to file may lead to denial of the request." Since we have received no comments in support of the proposal, we will dismiss the petition for rulemaking.

3. A copy of this *Order* will be served on the petitioner, or its counsel or consultant, as follows:

Thomas J. Hutton  
Holland & Knight  
2100 Pennsylvania Ave., N.W.  
Washington, D.C. 20037-5564  
(Counsel to petitioner)

4. For further information concerning this proceeding, contact Victoria M. McCauley, Mass Media Bureau (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

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

<sup>1</sup> 16 FCC Rcd 11068 (2001).