

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

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In the Matter of)	
)	
Amendment of Section 73.202(b),)	
Table of Allotments,)	
FM Broadcast Stations.)	
(Holly Springs, Mississippi))	MM Docket No. 01-211
)	RM-10221
)	
(McBain, Michigan))	MM Docket No. 01-213 ✓
)	RM-10226

REPORT AND ORDER
(Proceeding Terminated)

Adopted: January 23, 2002 ; **Released: February 1, 2002**

By the Chief, Allocations Branch:

1. The Allocations Branch has before it two proposals from a multiple docket Notice of Proposed Rule Making¹ setting forth separate proposals to allot an FM channel to a specific community. At least one party filing Comments has supported each of the two proposals listed below and has expressed its intent 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 of the two proposals as originally proposed.

2. This is a multiple docket proceeding initiated in response to a Commission Public Notice released October 2, 1998 (DA 98-1987). We are combining separate FM allotment proposals into a single Report and Order. Each proposal has its own docket and rule making number and the Commission's Reference Center has maintained a separate file for each docket. As discussed in the Public Notice, this procedure will conserve Commission resources and expedite the processing of FM allotment petitions for rule making by avoiding duplicative actions. We discuss below the following proposals:

¹ See 66 FR 47433 (September 12, 2001).

A. MM Docket No. 01-211; RM-10221

Action: At the request of Holly Springs Radio, we are allotting Channel 243A at Holly Springs, Mississippi, as that community's fourth local aural transmission service.

Coordinates: The reference coordinates for Channel 243A at Holly Springs are 34-41-32 North Latitude and 89-32-33 West Longitude.

Additional Information: This allotment requires a site restriction of 12.6 kilometers (7.9 miles) southwest of Holly Springs.

FCC Contact: R. Barthen Gorman (202) 418-2180

B. MM Docket No. 01-213; RM-10226

Action: At the request of McBain Broadcasting Company,² we are allotting Channel 300A at McBain, Michigan, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 300A at McBain are 44-12-09 North Latitude and 85-06-02 West Longitude.

Additional Information: This allotment requires a site restriction of 9.1 kilometers (5.6 miles) east of McBain. Since McBain is located within 320 kilometers of the U.S. Canadian border, concurrence of the Canadian Government in this allotment has been requested. Notification in this regard has not been received. Therefore, any construction permit that is granted prior to the receipt of formal concurrence of the Canadian Government will include the following condition: "Operation with the facilities specified herein is subject to modification, suspension, or termination without right to hearing, if specifically objected to by Industry Canada. This condition will be removed once formal approval for the allotment is received from Industry Canada."

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² Jeraldine Anderson filed timely comments expressing her interest in filing an application for Channel 300A at McBain, if that channel were allotted to McBain. Further, Anderson stated that if her application were granted, she would promptly construct and operate an FM station on that channel. McBain Broadcasting Company submitted late-filed comments in which it restated its intent to apply for a construction permit for Channel 300A if that channel were allotted to McBain. Further, McBain Broadcasting Company stated that if its application were granted, it would undertake to build and operate the station.

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 March 18, 2002, 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:

<u>Community</u>	<u>Channel No.</u>
Holly Springs, Mississippi	243A
McBain, Michigan	300A

4. The window periods for filing applications for these allotments will not be opened at this time. Instead, the issue of opening these allotments for auction 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