

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

**RECEIVED & INSPECTED**  
MAR - 3 2002  
**FCC - MAILROOM**

In the matter of )  
)  
Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations, )  
(Littlefield, Arizona) )  
)  
)  
)  
)

MM Docket No. 99-282  
RM-9710

**MEMORANDUM OPINION AND ORDER**  
**(Proceeding Terminated)**

**Adopted: February 20, 2002**

**Released: March 1, 2002**

By the Chief, Allocations Branch:

1. The Allocations Branch has before it an application for review of a Memorandum Opinion and Order ("MO&O"),<sup>1</sup> DA 00-2483, in the above captioned proceeding, filed by Mountain West Broadcasting ("Mountain West"), an opposition filed by Death Valley Broadcasters; and a reply filed by Mountain West.

2. Initially, the Report and Order<sup>2</sup> in this proceeding denied Mountain West's rulemaking petition to allot Channel 265C to Littlefield, Arizona, because the petitioner had not demonstrated that Littlefield is a community for allotment purposes. Mountain West filed a petition for reconsideration of the R&O that was denied in the MO&O. Thereafter, Mountain West filed the above referenced application for review.

3. On January 8, 2002, Mountain West filed a request to dismiss its application for review, stating that it no longer has an interest in the allotment of Channel 265C to Littlefield, Arizona. Therein, Mountain West also submitted an affidavit of its principal and owner, Victor Michael, declaring that Mountain West has not been paid or promised any consideration for dismissal of its expression of interest in the proposed Littlefield allotment.

4. Since the withdrawal of the application of review and the expression of interest in the proposed Littlefield allotment complies with Section 1.420(j) of the Commission's Rules,<sup>3</sup> we will approve the request for withdrawal.

5. Accordingly, **IT IS ORDERED**, That the Application for Review filed by Mountain West

<sup>1</sup> 15 FCC Rcd 21547 (Allocations Br. 2000).

<sup>2</sup> 15 FCC Rcd 10263 (Allocations Br. 2000).

<sup>3</sup> Section 1.420(j) provides that a party seeking to withdraw an expression of interest in an FM or television allotment proceeding must disclose whether any financial consideration was paid or promised in exchange for the withdrawal, must provide a copy of any such agreement, and demonstrate that any consideration does not exceed the legitimate and prudent expenses of the party withdrawing its expression of interest.

Broadcasting IS DISMISSED.

6. For further information, contact Andrew J. Rhodes, Mass Media Bureau, at (202) 418-2120.

FEDERAL COMMUNICATIONS COMMISSION

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