

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

AUG 12 2002

In the Matter of)
)
Amendment of Section 73.622(b),) MB Docket No. 02-75
Table of Allotments,) RM-10151
Digital Television Broadcast Stations.)
(Lynchburg, Virginia))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: August 2, 2002

Released: August 9, 2002

By the Chief, Video Division:

1. At the request of WSET, Inc. ("WSET"), licensee of station WSET-TV, NTSC channel 13, Lynchburg, Virginia, the Commission has before it the Notice of Proposed Rule Making, 17 FCC Rcd 6332 (2002), proposing the substitution of DTV channel 34 for station WSET-TV's assigned DTV channel 56. WSET filed comments reaffirming its intention in applying for DTV channel 34, if allotted. No other comments.

2. We believe the public interest would be served by substituting DTV channel 34 for DTV channel 56 since it will permit station WSET-TV to operate on an "in-core channel" and build-out its digital facilities earlier. DTV channel 34 can be allotted to Lynchburg, Virginia, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 37-18-52 N. and 79-38-04 W. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WSET-DT with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
VA Lynchburg	34	660	625	1048

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 September 23, 2002, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Lynchburg, Virginia	20, 34

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, WSET Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 34 in lieu of DTV Channel 56 for station WSET-DT.

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

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau