

Federal Communications Commission

DA 04-1737

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

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DISP

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MB Docket No. 04-78
Table of Allotments,)	RM-10866
Digital Television Broadcast Stations.)	
(Ponce, Puerto Rico))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 16, 2004

Released: June 30, 2004

By the Chief, Video Division:

1. At the request of Siete Grande Television, Inc. ("Siete Grande"), the Commission has before it the Notice of Proposed Rule Making, 19 FCC Rcd 5879 (2004), proposing the substitution of DTV channel 8 for station WSTE-TV's assigned DTV channel 66. Siete Grande filed comments expressing its intention to apply for DTV channel 8, if allotted. No other comments were received.

2. Siete Grande states that the adoption of its proposed channel substitution will permit WSTE to operate on an in-core channel. It also claims that operating on DTV channel 8 will permit Siete Grande to conserve its resources by building the DTV station during the transition rather than building two stations. Siete Grande submits that it intends to co-locate its analog channel and DTV channel at the new site.

3. We believe the public interest would be served by substituting DTV channel 8 for DTV channel 66 since it will permit station WSTE-TV to operate on an in-core channel. DTV channel 8 can be allotted to Ponce, Puerto Rico, in compliance with the principle community coverage requirement of Section 73.625(a) with a "c" designation at coordinates 18-02-52 N. and 66-39-16 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 WSTE-TV 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>
PR Ponce	8c	50	88	1047

4. 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 August 16, 2004, 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>
Ponce, Puerto Rico	8c, 15c, 19, *25, 43c, 47

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Siete Grande Television, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 8c in lieu of DTV Channel 66 for station WSTE-DT.

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

7. 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