

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

2006 JAN -9 P 5: 02

In the Matter of)	
)	
Amendment of Section 73.202(b))	
Table of Allotments,)	
FM Broadcast Stations.)	
(Barstow, California)	)	MB Docket No. 03-147
	)	RM-10722
)	
(Newcastle, Texas)	)	MB Docket No. 03-148
	)	RM-10724
)	
(Anacoco, Louisiana)	)	MB Docket No. 03-177
	)	RM-10749
)	
(Erie, Pennsylvania)	)	MB Docket No. 03-178
	)	RM-10750
)	
(Greenfield, California)	)	MB Docket No. 03-180
	)	RM-10753
)	
)	
)	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: January 4, 2006

Released: January 6, 2006

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it *Notices of Proposed Rule Making*,¹ specified below, setting forth five separate proposals to allot an FM channel to a specific community. Each petitioner filed comments in support of its proposal reaffirming its intention 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 proposal as originally proposed. These are as follows:

A. MB Docket No. 03-147, RM-20722; 18 FCC Rcd 12690 (MB 2003)

Action: At the request of Linda A. Davidson, we are allotting Channel 267A at Barstow, California, as the community's third local FM transmission service.

Coordinates: The reference coordinates for Channel 267A at Barstow are 34-53-55 North Latitude and 117-01-19 West Longitude.

¹ *Barstow, California, Newcastle, Texas, Anacoco, Louisiana, Erie, Pennsylvania, Quitaque, Texas and Greenfield California.*

Additional Information: The allotment is located at city reference coordinates and requires no site restriction. Because Barstow is located within 320 kilometers (199 miles) of the U.S.-Mexican border, Mexican concurrence has been requested. However, concurrence of the Mexican government has not yet been received. If a construction permit for Channel 267A at Barstow is granted prior to the Commission's receipt of formal concurrence in the allotment by the Mexican Government, the construction permit will include the following condition: "Use of this allotment is subject to suspension, modification, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement or if specifically objected to by Mexico's Secretaria de Comunicaciones Y Transportes."

FCC Contact: Sharon P. McDonald (202) 418-2180.

B. MB Docket No. 03-148; RM-10724; 18 FCC Rcd 12690 (MB 2003)

Action: At the request of Charles Crawford, we are allotting Channel 263A at Newcastle, Texas, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 263A at Newcastle are 33-13-10 North Latitude and 98-43-01 West Longitude.

Additional Information: This allotment requires a site restriction of 3.6 kilometers (2.2 miles) northeast to avoid a short-spacing to the licensed site of Station KHYS(FM), Channel 264C1 at Abilene, Texas.

FCC Contact: Sharon P. McDonald (202) 418-2180

C. MB Docket No. 03-177, RM-10749; 18 FCC Rcd 15391 (MB 2003)

Action: At the request of Charles Crawford, we are allotting Channel 276C3 at Anacoco, Louisiana, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 276C3 at Anacoco are 31-19-32 North Latitude and 93-26-48 West Longitude.

Additional Information: This allotment requires a site restriction of 13 kilometers (8.1 miles) northwest to avoid a short-spacing to the licensed site of Station KAJN-FM, Channel 275C, Crowley, Louisiana.

FCC Contact: Sharon P. McDonald (202) 418-2180

D. MB Docket No. 03-178, RM-10750; 18 FCC Rcd 15391 (MB 2003)

Action: At the request of Dana J. Puololo, we are allotting Channel 240A at Erie, Pennsylvania, as the community's fifth local FM transmission service.

Coordinates: The reference coordinates for Channel 240A at Erie are 42-09-54 North Latitude and 79-59-24 West Longitude.

Additional Information: This allotment requires a site restriction of 8.8 kilometers (5.5 miles) northeast to avoid a short-spacing to the licensed site of Station WAKZ(FM), Channel 240A, Sharpsville, Pennsylvania.

Erie is located within 320 kilometers (200 miles) of the U.S.-Canadian border, and the allotment is short-spaced to Station CFPL-FM, Channel 240C1, London, Ontario. Canadian concurrence, however, as a specially-negotiated short-spaced allotment has been received.

FCC Contact: Sharon P. McDonald (202) 418-2180

E. MB Docket No. 03-180, RM-10753; 18 FCC Red 15391 (MB 2003)

Action: At the request of Daniel R. Freely, we are allotting Channel 254A at Greenfield, California, as the community's third local FM transmission service.

Coordinates: The reference coordinates for Channel 254A at Greenfield are 36-19-23 North Latitude and 121-14-41 West Longitude.

Additional Information: This allotment is located at city reference coordinates and requires no site restriction.

FCC Contact: Sharon P. McDonald (202) 418-2180

2. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b), and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective February 21, 2006, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Barstow, California	232B1, 240B1, 267A
Newcastle, Texas	263A
Anacoco, Louisiana	276C3
Erie, Pennsylvania	234A, 240A, 260B, 272A, 279B
Greenfield, California	254A, 258B, 300B ²

3. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act. See 5 U.S.C. § 801(a)(1)(A).

4. The window period 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.

² Channel 300B at Greenfield was downgraded by application (File No. BMPH-19971006IE) to Channel 300B1 on November 6, 1997. Accordingly, the FM Table of Allotments should be amended to reflect Channel 300B1 in lieu of Channel 300B at Greenfield, California. This action constitutes an editorial change in the FM Table of Allotments. Therefore, we find for good cause that a public notice and comment proceeding is unnecessary. See 5 U.S.C. § 553(b)(A) and (B).

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.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau