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

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	
Table of Allotments,	)	
FM Broadcast Stations.	)	
(Tomahawk, Wisconsin)	)	MB Docket No. 04-202
	)	RM-10985
	)	
(Waynoka, Oklahoma)	)	MB Docket No. 04-271
	)	RM-11013
	)	
(Wasco, California)	)	MB Docket No. 04-272
	)	RM-11014
	)	
(Richland Springs, Texas)	)	MB Docket No. 04-273
	)	RM-11015
	)	
(Hermitage, Arkansas)	)	MB Docket No. 04-431
	)	RM-11115
	)	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: March 15, 2006 **Released: March 17, 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. 04-202; RM 10985

Action: At the request of Results Broadcasting of Rhinelander, Inc., we are allotting Channel 265C3 at Tomahawk, Wisconsin, as the community's second local commercial FM transmission service.

Coordinates: The reference coordinates for Channel 265C3 at Tomahawk are 45-30-01 North Latitude and 89-49-50 West Longitude.

[1] *Tomahawk, Wisconsin*, 19 FCC Rcd 34113 (MB 2004); *Waynoka, Oklahoma, Wasco, California, Richland Springs, Texas*, 19 FCC Rcd 13858 (MB 2004); and *Hermitage, Arkansas* 19 FCC Rcd 23202 (MB 2004).

Additional Information: This allotment requires a site restriction of 8.5 kilometers (5.3 miles) west-northwest to avoid short-spacing to the licensed site of Station WOBE (FM), Channel 264C1, Crystal Falls, Michigan. Since Tomahawk is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been obtained.

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

B. Docket No. 04-271; RM-11013

Action: At the request of Charles Crawford, d/b/a Waynoka Broadcasting Company, we are allotting Channel 231C2 at Waynoka, Oklahoma, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 231C2 at Waynoka are 36-49-25 North Latitude and 98-59-50 West Longitude.

Additional Information: This allotment requiers a site restricton of 28.8 kilometerss (17.9 miles) north to avoid a short-spacing to the proposed allotment sites for Channel 233A, Cherokee, Oklahoma, and Channel 233A, Kiowa, Kansas.

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

C. MB Docket No. 04-272; RM-11014

Action: At the request of Linda A. Davidson, we are allotting Channel 224A at Wasco, California, as the community's first local commercial FM transmission service.

Coordinates: The reference coordinates for Channel 224A at Wasco are 35-35-37 North Latitude and 119-20-35 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

D. MB Docket No. 04-273; RM- 11015

Action: At the request of Charles Crawford, we are allotting Channel 299A at Richland Springs, Texas, as the community's second local FM transmission service. To accommodate the allotment, we also modify the reference coordinates for vacant Channel 299A at Hamilton, Texas.

Coordinates: The reference coordinates for Channel 299A at Richland Springs are 31-09-42 North Latitude and 99-02-03 West Longitude. The modified reference coordinates for vacant Channel 299A at Hamilton are 31-49-57 North Latitude and 98-07-00 West Longitude.

Additional Information: This allotment requires a site restriction of 14.7 kilometers (9.1 miles) southwest to avoid a short-spacing to the proposed allotment site for Channel 296A, Brady, Texas. Since Richland Springs is located within 320 kilometers (199 miles) of the U.S.-Mexican border, concurrence of the Mexican government has been requested but has not been received. If a construction permit for Channel 299A at Richland Springs 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 Communicaciones Y Transportes."

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

E. MB Docket No. 04-431; RM-11115

Action: At the request of Charles Crawford, we are allotting Channel 300A at Hermitage, Arkansas, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 300A at Hermitage are 33-25-00 North Latitude and 92-04-30 West Longitude.[2]

Additional Information: This allotment requires a site restriction of 9.8 kilometers (6.1 miles) east to avoid a short-spacing to the construction permit site for Station KLAL(FM), Channel 299C1, Wrightsville, Arkansas.

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 May 1, 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:

Community	Channel No.
Tomahawk, Wisconsin	223C3, 265C3
Waynoka, Oklahoma	231C2
Wasco, California	224A
Richland Springs, Texas	252A, 299A
Hermitage, Arkansas	300A

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).

[2] The allotment of Channel 300A at Hermitage is short-spaced to the licensed site for Station KVMA-FM, Channel 300C2, Magnolia, Arkansas. In MB Docket No. 02-199, Channel 300C2 was reallotted from Magnolia, Arkansas to Oil City, Louisiana by *Report and Order*. *See Magnolia, Arkansas and Oil City, Louisiana*, 18 FCC Rcd 8542 (MB 2003). A *Memorandum Opinion and Order* was adopted on January 29, 2004, denying a Petition for Reconsideration and Motion for Stay filed by Access.1 Communications-Shreveport, LLC. See 19 FCC Rcd 1553 (MB 2004). On March 25, 2004, an Application for Review was filed, which is pending. Although Channel 300C2 was reallotted from Magnolia, Arkansas to Oil City Louisiana, the instant proposal will be granted subject to the outcome of MB Docket No. 02-199, since the Magnolia, Arkansas proceeding is effective but not yet final. *See Auburn, Alabama, et al.*, 18 FCC Rcd 10333 (MB 2003).

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.

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