

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

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MAY 16 2006

FCC Mail Room

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
Table of Allotments,)	
FM Broadcast Stations.)	
(Alturas, California))	MB Docket No. 05-123
)	RM-11191

REPORT AND ORDER
(Proceeding Terminated)

Adopted: May 10, 2006

Released: May 12, 2006

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division issued a *Notice of Proposed Rule Making* in response to a Petition for Rule Making filed by George S. Flinn, Jr. ("Flinn").¹ The *Notice* proposes the allotment of Channel 277C at Alturas, California, as potentially the community's fourth local aural transmission service. Flinn filed both comments and reply comments supporting the allotment of Channel 277C at Alturas, and he reaffirmed his intention to apply for the channel if it is allotted and, if authorized, to build and operate a station on that channel. No other comments were received.

2. Alturas is a community for allotment purposes and is deserving of a fourth local service. Moreover, the proposed allotment of Channel 277C at Alturas would provide a first service to 42 persons in an area of 1,100 square kilometers, and a second service to 17 persons within an area of 1,350 square kilometers. We therefore find that the public interest would be served by the allotment of Channel 277C at Alturas, California. Channel 277C can be allotted at Alturas with a site restriction of 18.2 km (11.3 miles) east of Alturas. The reference coordinates for Channel 277C at Alturas are: 41-31-30 NL and 120-19-45 WL.

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.²

4. Accordingly, IT IS ORDERED, That effective June 26, 2006, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED as follows:

<u>Community</u>	<u>Channel Number</u>
Alturas, California	268C1, ³ 277C, 293C1, 297C

¹ *Alturas, California*, Notice of Proposed Rule Making 20 FCC Rcd 6057 (MB 2005) ("Notice").

² See 5 U.S.C. § 801 (a)(1)(A).

³ The downgrade of vacant Channel 267C to Channel 268C1 was proposed in *Weaverville, Palo Cedro, and Alturas, California*, Notice of Proposed Rule Making, 20 FCC Rcd 6101 (MB 2005), and is being adopted in a Report and Order released on the same date as this order. See DA 06-1005 (released May 12, 2006).

5. IT IS FURTHER ORDERED, That the Secretary of the Commission shall send by Certified Mail, Return Receipt Requested, a copy of this Order to the following:

Stephen C. Simpson, Esq.
1090 Vermont Avenue, N.W.
Washington, D.C. 20005
(Counsel for George S. Flinn, Jr.)

6. A filing window period for Channel 277C at Alturas, California, will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent *Order*.

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

8. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072. Questions related to the application filing process for Channel 277C at Alturas, California, should be addressed to the Audio Division, Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau