

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

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OCT 17 2006

FCC MAIL ROOM

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	
FM Broadcast Stations	)	
(Powers, Oregon)	)	MB Docket No. 05-14
	)	RM-11088
	)	
(Zapata, Texas)	)	MB Docket No. <u>05-15</u>
	)	RM-11148

**REPORT AND ORDER  
(Proceeding Terminated)**

Adopted: October 11, 2006

Released: October 13, 2006

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it *Notice of Proposed Rule Making*,<sup>1</sup> specified below, setting forth two 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. 05-14, RM-11088**

**Action:** At the request of Mikel Chavez, we are allotting Channel 293C2 at Powers, Oregon, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 293C2 at Powers are 42-53-01 North Latitude and 124-04-19 West Longitude.

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

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

**B. MB Docket No. 05-15, RM-11148**

**Action:** At the request of Jeraldine Anderson, we are allotting Channel 292A at Zapata, Texas, as the community's fourth local FM transmission service.

**Coordinates:** The reference coordinates for Channel 292A at Zapata are 26-49-57 North Latitude and

<sup>1</sup> Powers, Oregon, Zapata Texas, Notice of Proposed Rule Making, 20 FCC Rcd 1267 (MB 2006).

99-14-25 West Longitude.

**Additional Information:** This allotment requires a site restriction of 9.0 kilometers (5.6 miles) south to avoid a short-spacing to the licensed site for Station KPSO-FM, Channel 292A, Falfurria, Texas. Because Zapata is located within 320 kilometers (199 miles) of the U.S.-Mexican border, concurrence of the Mexican government has been obtained.

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

2. Accordingly, pursuant to the authority found 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, November 27, 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>
Powers, Oregon	293C2
Zapata, Texas	228C3, <sup>2</sup> 274A, 280A, 292A

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.

5. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

<sup>2</sup> We note that Channel 228A is erroneously listed in the FM Table of Allotments. Pursuant to a one-step application (File No. BMPH-199812301F) filed by Station KBAW(FM), Channel 228A was modified on December 30, 1999 to Channel 228C3 at Zapata, Texas. Accordingly, the FM Table of Allotments should be amended to reflect that Channel 228A has been removed. 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).

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