

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MB Docket No. 05-85
Table of Allotments,)	RM-11164
FM Broadcast Stations.)	
(Hennessey, Oklahoma))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 20, 2006

Released: December 22, 2006

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division issued a *Notice of Proposed Rulemaking* in response to a Petition for Rule Making filed by Charles Crawford (“Crawford”).¹ The *Notice* proposes the allotment of Channel 249A at Hennessey, Oklahoma, as a first local FM service. Crawford filed comments supporting the allotment of Channel 249A at Hennessey, and reaffirmed his intention to apply for the channel if it is allotted and, if authorized, to build and operate a station on that channel.

2. Comments also were filed by Oklahoma Radio Partners, LLC (“ORP”). ORP requests that the Commission modify the reference point associated with the proposed allotment of Channel 249A at Hennessey. ORP represents that Channel 249A can be allotted to Hennessey from the modified reference coordinates with clear spacing to all existing and proposed allotments. ORP states that Crawford has consented to the proposed modification of the allotment reference coordinates, and further states that no consideration was paid by ORP in exchange for Crawford’s consent. In corroboration of its representations, ORP attaches to its comments a signed, verified statement from Charles Crawford.

3. Hennessey, an incorporated community with a population of 2,052 persons, is a community for allotment purposes and is deserving of a first local FM service. We therefore find that the public interest would be served by the allotment of Channel 249A at Hennessey, Oklahoma. Channel 249A can be allotted at Hennessey at the modified reference coordinates with a site restriction of 7.7 kilometers (4.8 miles) west of Hennessey, at the following reference coordinates: 36-07-55 North Latitude and 97-58-46 West Longitude.

¹ *Hennessey, Oklahoma, Odin, Illinois, and Spur, Texas*, 20 FCC Rcd 4331 (MB 2005) (“*Notice*”).

4. 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

5. Accordingly, IT IS ORDERED, That effective February 5, 2007, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED as follows:

<u>Community</u>	<u>Channel No.</u>
Hennessey, Oklahoma	249A

6. 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:

Charles Crawford
3500 Maple Avenue, #132
Dallas, Oklahoma 75219

Gene A. Bechtel, Esq.
Law Offices of Gene Bechtel
1050 17th Street, N.W.
Suite 600
Washington, D.C. 20036
(Counsel for Charles Crawford)

Mark N. Lipp, Esq.
J. Thomas Nolan, Esq.
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Suite 600
Washington, D.C. 20004-1008
(Counsel for Oklahoma Radio Partners, LLC)

7. A filing window period for Channel 249A at Hennessey, Oklahoma, 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*.

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

9. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072. Questions related to the application filing process for Channel 249A at

² See 5 U.S.C. 801 (a)(1)(A).

Hennessey, Oklahoma, should be addressed to the Audio Division, Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John Karousos
Assistant Chief
Audio Division
Media Bureau