

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

MAR 1 2007

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In the Matter of )  
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)  
Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations. )  
(Melvin, Junction, and Menard, Texas) )  
)  
)  
)

MB Docket No. 05-132  
RM-11217

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: February 21, 2007**

**Released: February 23, 2007**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it: (1) a *Notice of Proposed Rule Making*<sup>1</sup> issued at the request of Charles Crawford ("Petitioner"); (2) comments filed by the Petitioner; and (3) a request for approval of withdrawal filed by the Petitioner.

2. The *NPRM* proposed the allotment of Channel 242A at Melvin, Texas, as a first local service. To accommodate this allotment, the *NRPM* proposed the substitution of Channel 292A for vacant Channel 242A at Menard, Texas, and the substitution of Channel 224A for vacant Channel 292A at Junction, Texas.

3. The Petitioner requests approval to withdraw his rulemaking petition because he has decided not to pursue the allotment of Channel 242A at Melvin at this time. The Petitioner also submits a sworn affidavit, stating that he has not or will not receive any consideration in connection with the withdrawal of his rulemaking petition.

4. We approve the Petitioner's withdrawal of his rulemaking petition in this proceeding and the expression of interest in Channel 242A at Melvin, Texas. The withdrawal of the rulemaking petition and the expression of interest comply with Section 1.420(j) of the Commission's rules because the Petitioner is not receiving any money or other consideration in return for the withdrawal.

5. As stated in the Appendix to the *NPRM*, a continuing interest is required before a channel will be allotted. Because the rulemaking petition and expression of interest in the proposed allotment at Melvin have been dismissed, we will not allot Channel 242A at Melvin or substitute channels at Junction and Menard, Texas.

6. This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this *Report and Order* to GAO, pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A) because the proposed rule is dismissed herein.)

<sup>1</sup> *Melvin, Junction, and Menard, TX*, Notice of Proposed Rule Making, 20 FCC Rcd 6249 (MB 2005) ("*NPRM*").

7. Accordingly, IT IS ORDERED, That the rulemaking petition (RM-11217) filed by Charles Crawford IS DISMISSED.

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

9. For further information concerning this proceeding, contact Andrew J. Rhodes, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau