

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

MAILED

JUL 27 2007

FCC

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
FM Table of Allotments,)	MB Docket No. 06-46
FM Broadcast Stations.)	RM-11256
(Waukomis, Oklahoma))	
)	
Reclassification of License)	File No. BLH-19880120KA ¹
of Station KYQQ(FM), Arkansas City, Kansas)	

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REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 25, 2007

Released: July 27, 2007

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making*² issued at the request of Linda Crawford, d/b/a Waukomis Broadcasting ("Petitioner"), requesting to amend the FM Table of Allotments by proposing the allotment of Channel 292A at Waukomis, Oklahoma, as the community's first local aural transmission service. To accommodate this allotment, the *Notice* also indicated that Station KYQQ(FM) Arkansas City, Kansas, was reclassified as a Class C0 station.³ Petitioner filed comments in support of the allotment, reiterating its interest in the channel. Waukomis Communications also filed comments in support of the allotment, also pledging to apply for the channel if allotted.⁴

2. In support of the Waukomis allotment, Petitioner states that Waukomis is an incorporated community with a 2000 U.S. Census population of 1,261 persons. Waukomis has its own mayor, public

¹ This authorization was re-issued on February 10, 2006 to reflect reclassification to Class C0.

² *Waukomis, Oklahoma*, Notice of Proposed Rule Making, 21 FCC Rcd 1744 (2006).

³ Station KYQQ(FM) operates on Channel 293C with less than the minimum Class C antenna height above average terrain ("HAAT") of 451 meters HAAT. As a result, Station KYQQ(FM) is subject to reclassification as a Class C0 facility pursuant to the reclassification procedures adopted in the Commission's *Second Report and Order*, MM Docket No. 98-93, *See 1998 Biennial Regulatory Review—Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules*, 15 FCC Rcd 21649 (2000). Note 2 to Section 1.420(g), and Note 4 to Section 73.3573 of the Commission's rules. Pursuant to the requirements set forth in Section 73.3573, Note 4, we issued an Order to Show Cause, *Reclassification of License of Station KYQQ(FM) Arkansas City, Kansas*, Order to Show Cause, 20 FCC Rcd 12122 (MB 2005), directed to Journal Broadcast Corporation ("Journal"), licensee of Station KYQQ(FM), Arkansas City, Kansas, affording it 30 days to express in writing an intention to seek authority to upgrade its technical facilities to preserve Class C status, or to otherwise explain why the station not be reclassified. Journal did not file a response. Therefore, in accordance with the Commission's reclassification procedures noted above, the license for Station KYQQ(FM) has been reclassified to specify operation on Channel 293C0 instead of Channel 293C at Arkansas City, Kansas. This station retains its current transmitter site. The reference coordinates for the Channel 293C0 allotment at Arkansas City, Kansas are 37-21-24 NL and 960-57-55 WL.

⁴ Waukomis Communications' comments and a motion to accept were late-filed. We have accepted these comments.

school system, a city hall, a post office, and a number of local churches.

3. Based on the foregoing, we believe that the public interest will be served by the allotment of Channel 292A at Waukomis, Oklahoma because it would provide the community with its first local aural transmission service. An engineering analysis has determined that Channel 292A can be allotted to Waukomis in compliance with the Commission's minimum distance separation requirements with site restriction 6.3 kilometers (3.9 miles) southwest of the community. The coordinates for Channel 292A at Waukomis are 36-14-01 NL and 97-56-25 WL.

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, *see* 5 U.S.C. §801(a)(1)(A)

5. Accordingly, pursuant to the authority contained in 47 U.S.C. §§ 4(i), 5(c)(1), 303(g), and (r), and 307(b), and 47 C.F.R. §§0.61, 0.204(b) and 0.283, IT IS ORDERED That effective September 10, 2007, the FM Table of Allotments, 47 C.F.R. § 73.202(b) IS AMENDED, with respect to the communities listed below, as follows:

<u>City</u>	<u>Channel No.</u>
Waukomis, Oklahoma	292A

6. A filing window period for Channel 292A at Waukomis, 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*.

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

8. For further information concerning a proceeding listed above, contact Victoria M. McCauley, Media Bureau (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
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