

paragraph 53 of the *Seventh Further Notice*, the Commission hereby invites public comment on these proposed changes to the new DTV Table.

B. Late-Filed Requests for Changes to the Table of Allotments and Appendix B

141. As noted above, several stations filed requests for revisions to the proposed DTV Table and/or Appendix B either during the reply comment period or after the close of the filing period. In order to facilitate a rapid transition, late-filed requests for minor adjustments or changes necessary for the station to replicate have been granted where they were unopposed and cause no impermissible interference to any other station. In some cases, although the Commission would have looked favorably on the proposal had it been timely filed, we find it necessary to provide a full opportunity to comment. This is particularly the case where the proposed changes to the DTV Table and/or Appendix B could affect other stations. This Further Notice identifies these late-filed requested changes, and seeks comment.

I. Request to Make Changes That Meet the Interference Criteria

142. WTXF, Philadelphia, PA. Fox Television Stations of Philadelphia, Inc. ("Fox Philadelphia"), licensee of station WTXF-TV, channel 29, and WTXF-DT, channel 42, Philadelphia, PA, received channel 42 for its TCD in the proposed DTV Table.³⁹⁰ In late-filed comments, Fox Philadelphia asserts that the parameters described in Appendix B reflect out-of-date information, and requests that they be revised to match its CP for its authorized facility, which will replicate its analog facilities.³⁹¹ Fox Philadelphia states that it is completing construction and expects to apply for the license to cover later this summer.³⁹² We find analyzed the requested facilities for post-transition operation, and we find that WTXF would cause 1.31 percent interference to WMPT, Annapolis, MD (analog channel 22, post-transition digital channel 42), 0.58 percent interference to WSAH, Bridgeport, CT (analog channel 43, post-transition digital channel 42), and 0.86 percent interference to WNJT, Trenton, NJ (analog channel 52, post-transition digital channel 43). Because this request was filed too late to ensure a full opportunity for comment, and particularly in light of the predicted interference, we invite comment on this request in this Further Notice.

143. WDCA, Washington, DC. Fox Television Stations, Inc., ("Fox"), licensee of station WDCA-TV, channel 20, and WDCA-DT, channel 35, Washington DC, received channel 35 for its TCD in the Proposed DTV Table.³⁹³ Fox filed late comments requesting that the Commission modify Appendix B to reflect WDCA's actual, authorized facilities.³⁹⁴ WDCA-DT has a construction permit, FCC File No. BMPCDT-20060519ACK, that specifies facilities at its main studio where WDCA-DT is currently "located, authorized and operating," and WDCA-DT has applied for a license to cover that Construction Permit, FCC File No. BLCDDT-20070411AAH.³⁹⁵ As noted by Fox, previous engineering analysis had indicated that this location and these parameters cause no impermissible interference. The Commission proposes to grant this request and adjust the DTV Table and Appendix B accordingly. Therefore, we solicit comments on this proposal.

³⁹⁰ See *Seventh Further Notice*, 21 FCC Rcd at 12123 Appendix A.

³⁹¹ See Comments of Fox Television Stations of Philadelphia, Inc., filed June 19, 2007. See also BPCDDT-20020424AAZ; BCERCT-20041104AHH.

³⁹² See Comments of Fox Philadelphia at 1.

³⁹³ See *Seventh Further Notice*, 21 FCC Rcd at 12123 App. A.

³⁹⁴ See Comments of Fox Television Stations, Inc., filed June 26, 2007.

³⁹⁵ *Id.*

2. Request for Modified Coverage Area

144. KOAM, Pittsburg, KS. Saga Quad States Communications ("Saga"), licensee of station KOAM-TV, channel 7, and KOAM-DT, channel 13, Pittsburg, KS, received channel 7 for its TCD in the proposed DTV Table.³⁹⁶ Saga states that its current Appendix B parameters would allow it to reach only 83 percent of the audience it currently serves with its analog signal. Saga requests a revision to specify directional facilities for KOAM at an ERP of 15.33 kW, in order to more closely replicate its analog Grade B contour. Saga's internal engineering study indicates that use of a directional antenna would prevent any station from receiving impermissible interference, while still allowing KOAM to reach 94.4 percent of people reached by its analog transmitter, an outcome it argues is in the public interest.³⁹⁷ We have analyzed KOAM's request and recalculated their Appendix B facilities based on replicating the analog coverage that was used to determine their initial DTV table facilities. We propose to adjust the DTV Table and Appendix B accordingly and solicit comments on this proposal.³⁹⁸

3. Requests for Alternative Channel Assignments

145. KOLO, Reno, NV. Gray Television Licensee, Inc. ("Gray"), licensee of station KOLO-TV, channel 8, and KOLO-DT, channel 9, Reno, NV, received channel 9 for its TCD in the proposed DTV Table.³⁹⁹ Gray currently broadcasts from the same antenna on its NTSC channel 8 and DTV channel 9. Gray states that its antenna has been optimized for channel 8 for over 45 years, and Gray expresses concern that attempting to retune the antenna for use on its TCD channel 9 could lead to serious engineering difficulties.⁴⁰⁰ Gray therefore requests that KOLO's TCD be changed to permit it to return to its NTSC channel 8 post-transition. Engineering analysis indicates that this proposal by Gray would cause no additional interference. The Commission proposes to grant this request and adjust the DTV Table and Appendix B accordingly. Therefore, we solicit comments on this proposal.

146. WEHT, Evansville, IN. Gilmore Broadcasting Corporation ("Gilmore"), licensee of station WEHT, channel 25, and WEHT-DT, channel 59, Evansville, IN, received channel 25 for its TCD in the proposed DTV Table.⁴⁰¹ Gilmore filed reply comments stating that WEHT could not serve its entire analog area using the TCD and parameters in the DTV Table and Appendix B. It proposes to change its TCD to channel 7 and adjust its parameters. Gilmore states that these proposed changes will increase its service area and eliminate the interference with WRTV-DT Indianapolis, IN (analog channel 6, post-transition digital channel 25) that would be caused by operating on channel 25.⁴⁰² Engineering analysis shows that Gilmore's proposed alternative channel would cause no additional interference. The Commission proposes to grant this request and adjust the DTV Table and Appendix B accordingly. Therefore, we solicit comments on this proposal.

147. KTRV, Nampa, ID. Idaho Independent Television, Inc. ("IIT"), licensee of KTRV, channel 12, and KTRV-DT, Nampa, Idaho, received channel 12 for its TCD in the proposed DTV Table.⁴⁰³ IIT filed late comments stating that it wishes to retain its existing DTV facilities for post-

³⁹⁶ See *Seventh Further Notice*, 21 FCC Rcd at 12123 App. A.

³⁹⁷ See Comments of Saga Quad States Communications, LLC, filed Mar. 27, 2007, at 3-5 and Attachment.

³⁹⁸ See Appendix G

³⁹⁹ See *Seventh Further Notice*, 21 FCC Rcd at 12123 App. A.

⁴⁰⁰ See Comments of Gray Television Licensee, Inc., filed June 18, 2007.

⁴⁰¹ See *Seventh Further Notice*, 21 FCC Rcd at 12123 App. A.

⁴⁰² See Reply Comments of Gilmore Broadcasting Corporation, filed Feb. 26, 2007 at 2.

⁴⁰³ See *Seventh Further Notice*, 21 FCC Rcd at 12123 App. A.

transition operation, and requests that Appendix B be revised to reflect those facilities.⁴⁰⁴ IIT requests its TCD be changed to channel 13 and its antenna ID to 28309. IIT states "[t]hese licensed facilities already have passed Canadian review once before, so further international coordination should be minimal." IIT makes no representation, however, about post-transition interference. In response to IIT's request, we studied KTRV's post-transition operation on channel 13 and propose to grant their requested channel change.⁴⁰⁵ We seek comment on this proposal.

148. WUOA, Tuscaloosa, AL. The University of Alabama, singleton licensee of analog station WUOA, channel 23, Tuscaloosa, AL, received channel 23 for its TCD in the proposed DTV Table.⁴⁰⁶ The University of Alabama filed an *ex parte* in June 2007 seeking a channel change to a low VHF channel.⁴⁰⁷ The comment explained that the limited resources of the public university would be most efficiently used by broadcasting on a VHF channel, because of the lower cost of construction and operation of a VHF station as compared to a UHF station. We have considered and studied the University of Alabama's request, and propose replication facilities for WUOA on channel 6. Engineering analysis shows that this alternative channel will cause no additional interference. The Commission seeks comment on this proposal.

4. Other Requests

149. WPCW, Jeannette, PA. CBS Corporation ("CBS"), parent company of the licensee of Station WPCW, channel 19, and applicant for construction permit for a DTV station on channel 49, Jeannette, PA, received channel 49 for its TCD in the proposed DTV Table.⁴⁰⁸ CBS requests a change in the parameters in the proposed Appendix B for WPCW to reflect those approved by the Commission in its 2006 decision amending the pre-transition DTV Table to substitute channel 49 for channel 30 as the digital frequency for WPCW and reallocating DTV channel 49 from Johnstown, Pennsylvania to Jeannette.⁴⁰⁹ Larry L. Schrecongost ("Schrecongost"), licensee of Class A television Station WLLS, channel 49, Indiana, Pennsylvania, opposes the CBS request and argues that the proposed DTV Table should specify channel 30 rather than channel 49 for WPCW.⁴¹⁰ Schrecongost has also filed a petition for reconsideration of the *2006 Report and Order*, which is currently pending.

150. In 1999, the former licensee of WPCW filed a petition for rule making seeking to modify the station's DTV allotment from channel 30 to channel 49 and to change the station's digital community of license from Johnstown to Jeannette.⁴¹¹ That petition was subsequently amended to specify a new

⁴⁰⁴ See Comments of Idaho Independent Television, Inc. ("IIT"), filed July 17, 2007. IIT simultaneously filed a Motion to Accept Late-Filed Comments, which is hereby granted.

⁴⁰⁵ See Appendices F and G. As described, *supra* ¶ 81, we do not include antenna identification numbers for stations operating with an omnidirectional antenna.

⁴⁰⁶ See *Seventh Further Notice*, 21 FCC Rcd at 12149, App. A.

⁴⁰⁷ See University of Alabama *ex parte* (dated June 1, 2007) ("Supplement to Comments").

⁴⁰⁸ See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A. The licensee of WPCW is Pittsburgh Television Station WPCW, Inc., a wholly owned subsidiary of CBS. See Comments of CBS Corporation on *Seventh Further Notice of Proposed Rule Making*, filed Jan. 25, 2007, at 8.

⁴⁰⁹ See Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Johnstown and Jeannette, Pennsylvania), MB Docket No. 05-52, 21 FCC Rcd 1350 (2006) ("*2006 Report and Order*").

⁴¹⁰ See Comments of Larry L. Schrecongost, filed Jan. 25, 2007.

⁴¹¹ *Notice of Proposed Rule Making, Amendment of Section 73.622(B), Table of Allotments, Digital Television Broadcast Stations (Johnstown and Jeannette, Pennsylvania)*, MB Docket No. 05-52, 20 FCC Rcd 3456 (2005). At the time the petition for rulemaking was filed, the station's call sign was WNPA. We refer to the station herein by its current call sign, WPCW.

reference site.⁴¹² The petition for rule making was pending at the time the former licensee of WPCW certified to replication on FCC Form 381. Based on the pending rule making, WPCW elected channel 49 in the first round of the channel election process. The *Seventh Further Notice* specifies channel 49 for WPCW but lists technical parameters consistent with replication on channel 49 of the WPCW initial DTV allotment which was based on its analog facility. In the *2006 Report and Order*, the Commission granted the WPCW rule making petition and, in addition to the channel change from 30 to 49, the Commission approved the requested site change for WPCW as well as an increase in ERP and other technical changes.⁴¹³

151. CBS argues in its comments that the DTV Table should reflect the revised parameters approved for WPCW in the *2006 Report and Order*.⁴¹⁴ Schrecongost argues that the Commission erred in granting the channel change and site change for WPCW as operation of that station on channel 49 in Jeannette would cause interference to WLLS in violation of the Community Broadcasters Protection Act of 1999 ("CBPA").⁴¹⁵ The CBPA gave certain low power television (LPTV) stations, known as Class A stations, some limited protection from interference by full-service stations.

152. We have determined that operation of WPCW on channel 49 at the site and parameters approved in the *2006 Report and Order* would cause interference to the TCDs of two full-power stations in excess of the 0.1 percent standard for new interference that applies during the channel election process. Specifically, operation of WPCW on channel 49 would cause 1.61 percent new interference to WTAP, Parkersburg, WV (analog channel 15, post-transition digital channel 49), and 0.7 percent new interference to WPXI, Pittsburgh, PA (analog channel 11, post-transition digital channel 48).⁴¹⁶

153. In light of the interference caused by WPCW on channel 49, we propose to provide WPCW with an alternative channel that would resolve this interference. Specifically, we propose to allot channel 11 to WPCW with the site location specified in the *2006 Report and Order*. The specific technical facilities we propose for WPCW on channel 11 at this location are reflected in Appendix G, *infra*. Our analysis shows that operation of WPCW on channel 11 will not cause interference to the post-transition facilities of full power stations, nor to WLLS, the Class A station.

154. We believe that this proposal is consistent our objectives in this proceeding. Operation of WPCW on channel 11 instead of channel 49 would reduce the interference caused to other facilities, consistent with our goal of efficient spectrum use. In addition, changing the WPCW allotment from channel 49 to channel 11 would resolve the challenge by Class A station WLLS to the decision reached in the *2006 Report and Order*.⁴¹⁷ Resolving this challenge avoids a potentially protracted appeal of the *2006 Report and Order* and furthers our goal of finalizing DTV channels and facilities to permit stations to construct their post-transition facilities by the rapidly approaching transition deadline.

⁴¹² *Id.*

⁴¹³ See *2006 Report and Order*, 21 FCC Rcd at 1352-3.

⁴¹⁴ See CBS Comments at 10.

⁴¹⁵ *Id.* at 5; Reply Comments of Larry L. Schrecongost, filed Feb. 26, 2007, at 1. See also Community Broadcasters Protection Act of 1999, Pub. L. No. 106-113, 113 Stat. Appendix I at pp. 1501A-594 – 1501A-598 (1999), codified at 47 U.S.C. § 336(f). Schrecongost argues that WPCW failed to comply with the requirements of the CPBA that would entitle its DTV facility to protection by WLLS. See Schrecongost Comments at 4-5 and Reply Comments at 2-3. In particular, Schrecongost argues that WPCW failed to file a notice informing the Commission of the station's intent to seek maximized facilities and failed to file a maximization application by the deadline established in the CBPA.

⁴¹⁶ Because WPCW was treated as having elected its pre-transition DTV channel for post-transition operations, it was awarded a TCD on channel 49 without analysis of interference caused to other stations. See ¶ 19, *supra*.

⁴¹⁷ This proposed channel change for WPCW will moot the pending Petition for Reconsideration.

155. WGNO and WNOL, New Orleans, LA. As described in paragraph 89, Tribune (licensee of station WGNO, channel 26, permittee of WGNO-DT, channel 15, with TCD on channel 26, New Orleans, LA, and station WNOL, channel 38, and permittee of WNOL-DT, channel 40, New Orleans, LA, with TCD on channel 15)⁴¹⁸ filed late comments requesting a change in technical parameters for both stations.⁴¹⁹ Tribune proposes to operate both WGNO and WNOL from the WDSU transmitter site and tower, 3.7 km from the WGNO/WNOL transmission site destroyed by Hurricane Katrina. Tribune proposes that WGNO and WNOL will share the antenna with WDSU (analog channel 6, pre- and post-transition digital channel 43). Tribune contends that operating their stations from this site will streamline their application process and allow Tribune to restore digital service to the New Orleans market more quickly.⁴²⁰

156. We have considered and studied Tribune's request, and we find that the proposed parameters do not cause impermissible interference to any station.⁴²¹ However, we find that the proposed parameters for both stations would exceed their authorized contours, in violation of the freeze. In light of the unusual circumstances that affect these stations due to the destruction of both stations' analog and digital facilities, and the licensee's desire to relocate the transmitter to reduce the risk of damage from future hurricanes, we propose to waive the freeze and substitute the technical parameters requested in the late-filed comments. We seek comment on this proposal.

V. PROCEDURAL MATTERS

A. Seventh Report and Order

1. Final Regulatory Flexibility Analysis

157. As required by the Regulatory Flexibility Act of 1980 ("RFA"),⁴²² the Commission has prepared a Final Regulatory Flexibility Analysis ("FRFA") relating to this *Seventh Report and Order*. The FRFA is set forth in Appendix E.

2. Final Paperwork Reduction Act Analysis

158. This *Seventh Report and Order* was analyzed with respect to the Paperwork Reduction Act of 1995 ("PRA")⁴²³ and does not contain any information collection requirements.⁴²⁴

3. Congressional Review Act

159. The Commission will send a copy of this *Seventh Report and Order* in a report to be sent to Congress and the Government Accountability Office, pursuant to the Congressional Review Act.⁴²⁵

⁴¹⁸ See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

⁴¹⁹ Ex parte Comments of Tribune (dated July 23, 2007).

⁴²⁰ *Id.*

⁴²¹ See Proposed Allotments for WGNO-DT, channel 26, and WNOL-DT, channel 15, Figure 1 and Figure 1 [sic] appended to ex parte Comments of Tribune (dated July 23, 2007).

⁴²² See 5 U.S.C. § 603. The RFA, see 5 U.S.C. § 601 et. seq., has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 ("SBREFA"), Pub. L. No. 104-121, Title II, 110 Stat. 847 (1996). The SBREFA was enacted as Title II of the Contract With America Advancement Act of 1996 ("CWAAA").

⁴²³ The Paperwork Reduction Act of 1995 ("PRA"), Pub. L. No. 104-13, 109 Stat 163 (1995) (*codified in* Chapter 35 of Title 44 U.S.C.).

⁴²⁴ See *Seventh Further Notice*, 21 FCC Rcd at 12119, ¶ 56.

⁴²⁵ 5 U.S.C. § 801(a)(1)(A).

B. Eighth Further Notice of Proposed Rulemaking**1. Initial Regulatory Flexibility Analysis**

160. As required by the Regulatory Flexibility Act of 1980 ("RFA"),⁴²⁶ the Commission has prepared an Initial Regulatory Flexibility Analysis ("IRFA") relating to this *Eighth Further Notice of Proposed Rulemaking*. The IRFA is set forth in Appendix H.

2. Initial Paperwork Reduction Act Analysis

161. This *Eighth Further Notice of Proposed Rulemaking* has been analyzed with respect to the PRA and does not contain proposed information collection requirements. In addition, therefore, it does not contain any new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002.⁴²⁷

3. Ex Parte Rules

162. Permit-But-Disclose. This proceeding will be treated as a "permit-but-disclose" proceeding subject to the "permit-but-disclose" requirements under Section 1.1206(b) of the Commission's rules.⁴²⁸ *Ex parte* presentations are permissible if disclosed in accordance with Commission rules, except during the Sunshine Agenda period when presentations, *ex parte* or otherwise, are generally prohibited. Persons making oral *ex parte* presentations are reminded that a memorandum summarizing a presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented is generally required.⁴²⁹ Additional rules pertaining to oral and written presentations are set forth in Section 1.1206(b).

4. Filing Requirements

163. Comments and Replies. Pursuant to Sections 1.415 and 1.419 of the Commission's rules,⁴³⁰ interested parties may file comments on or before 30 days after publication in the Federal Register, and reply comments on or before 45 days after publication in the Federal Register using: (1) the Commission's Electronic Comment Filing System ("ECFS"), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁴³¹

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
 - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic

⁴²⁶ See 5 U.S.C. § 603.

⁴²⁷ The Small Business Paperwork Relief Act of 2002 ("SBPRA"), Pub. L. No. 107-198, 116 Stat 729 (2002) (codified in Chapter 35 of title 44 U.S.C.); see 44 U.S.C. 3506(c)(4).

⁴²⁸ See 47 C.F.R. § 1.1206(b); see also 47 C.F.R. §§ 1.1202, 1.1203.

⁴²⁹ See *id.* § 1.1206(b)(2).

⁴³⁰ See 47 CFR §§ 1.415, 1.419.

⁴³¹ See *Electronic Filing of Documents in Rulemaking Proceedings*, 13 FCC Rcd 11322 (1998).

comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

164. **Availability of Documents.** Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street, S.W., CY-A257, Washington, D.C., 20554. These documents will also be available via ECFS. Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.

165. **Accessibility Information.** To request information in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to fcc504@fcc.gov or call the FCC's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document can also be downloaded in Word and Portable Document Format (PDF) at: <http://www.fcc.gov>.

C. Additional Information

166. For more information on this *Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking*, please contact Kim Matthews, Policy Division, Media Bureau at (202) 418-2154, Gordon Godfrey, Engineering Division, Media Bureau at (202) 418-2193, or Nazifa Sawez, Engineering Division, Media Bureau at (202) 418-7059.

VI. ORDERING CLAUSES

167. IT IS ORDERED that, pursuant to the authority contained in Sections 1, 4(i) and (j), 7, 301, 302, 303, 307, 308, 309, 316, 319, 324, 336, and 337 of the Communications Act of 1934, 47 U.S.C §§ 151, 154(i) and (j), 157, 301, 302, 303, 307, 308, 309, 316, 319, 324, 336, and 337, this *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making* IS ADOPTED.

168. IT IS FURTHER ORDERED that pursuant to the authority contained in Sections 1, 2, 4(i), 303, 303a, 303b, and 307 of the Communications Act of 1934, 47 U.S.C §§ 151, 152, 154(i), 303, 303a, 303b, and 307, the Commission's rules ARE HEREBY AMENDED as set forth in Appendix A.

169. IT IS FURTHER ORDERED that the rules as revised in Appendix A SHALL BE EFFECTIVE 30 days after publication of the *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making* in the Federal Register.

170. IT IS FURTHER ORDERED that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, SHALL SEND a copy of this *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making*, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

171. IT IS FURTHER ORDERED that the Commission SHALL SEND a copy of this *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. § 801(a)(1)(A).

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in cursive script that reads "Marlene H. Dortch". The signature is written in black ink and is positioned above the printed name and title.

Marlene H. Dortch
Secretary

APPENDIX A
RULE CHANGES
(POST-TRANSITION DTV TABLE OF ALLOTMENTS)¹

Part 73 of the Commission's Rules and Regulations (Chapter I of title 47 of the Code of Federal Regulations) is amended as follows:

PART 73 -- RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336 and 339.

2. Section 73.622 is amended by adding new paragraph (i) to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(i) Post-Transition Table of DTV Allotments.

ALABAMA

Community	Channel No.
Anniston	9
Bessemer	18
Birmingham	*10, 13, 30, 36, 50
Demopolis	*19
Dothan	21, 36
Dozier	*10
Florence	14, 20, *22
Gadsden	26, 45
Gulf Shores	25
Homewood	28
Huntsville	19, *24, 32, 41, 49
Louisville	*44
Mobile	9, 15, 20, 23, 27, *41
Montgomery	12, 16, *27, 32, 46
Mount Cheaha	*7
Opelika	47
Ozark	33
Selma	29, 42
Troy	48
Tuscaloosa	23, 33
Tuskegee	22

¹ Note: Changes from proposed post-transition DTV Table of Allotments are in bold.

ALASKA

Community	Channel No.
Anchorage	5, *8, 10, 12, 20, *26, 28, 32
Bethel	*3
Fairbanks	7, *9, 11, 18
Juneau	*10, 11
Ketchikan	13
North Pole	20
Sitka	7

ARIZONA

Community	Channel No.
Douglas	36
Flagstaff	2, 13, 18, 32
Green Valley	46
Holbrook	*11
Kingman	19
Mesa	12
Phoenix	*8, 10, 15, 17, 20, 24, 26, 33, 39, 49
Prescott	7
Sierra Vista	44
Tolleson	51
Tucson	9, 19, 23, 25, *28, *30, 32, 40
Yuma	11, 16

ARKANSAS

Community	Channel No.
Arkadelphia	*13
Camden	49
El Dorado	*10, 27, 43
Eureka Springs	34
Fayetteville	*9, 15
Fort Smith	18, 21, 27
Harrison	31
Hot Springs	26
Jonesboro	8, *20, 48
Little Rock	*7, 12, 22, 30, 32, *36, 44
Mountain View	*13
Pine Bluff	24, 39
Rogers	50
Springdale	39

CALIFORNIA

Community	Channel No.
Anaheim	32
Arcata	22
Avalon	47
Bakersfield	10, 25, 33, 45
Barstow	44
Bishop	20
Calipatria	36
Ceres	*15
Chico	24, 43
Clovis	43
Concord	14
Corona	39
Cotati	*23
El Centro	9, 22
Eureka	3, *11, 17, 28
Fort Bragg	8
Fresno	7, 30, 34, 38, *40
Hanford	20
Huntington Beach	*48
Long Beach	18
Los Angeles	7, 9, 11, 13, *28, 31, 34, 36, *41, 42, 43
Merced	11
Modesto	18
Monterey	31, 32
Novato	47
Oakland	44
Ontario	29
Oxnard	24
Palm Springs	42, 46
Paradise	20
Porterville	48
Rancho Palos Verdes	51
Redding	7, *9
Riverside	45
Sacramento	*9, 10, 21, 35, 40, 48
Salinas	8, 13
San Bernardino	*26, 38,
San Diego	8, 10, 18, 19, *30, 40
San Francisco	7, 19, 27, 29, *30, *33, 38, 39, 45, 51
San Jose	12, 36, 41, 49, *50
San Luis Obispo	15, 34
San Mateo	*43
Sanger	36
Santa Ana	23
Santa Barbara	21, 27
Santa Maria	19
Santa Rosa	32
Stockton	25, 26, 46

Twentynine Palms	23
Vallejo	34
Ventura	49
Visalia	28, *50
Watsonville	*25

COLORADO

Community	Channel No.
Boulder	15
Broomfield	*13
Castle Rock	46
Colorado Springs	10, 22, 24
Denver	7, 9, *18, 19, 32, 34, 35, *40, 43, 51
Durango	15, *20, 33
Fort Collins	21
Glenwood Springs	23
Grand Junction	2, 7, 12, 15, *18
Longmont	29
Montrose	13
Pueblo	*8, 42
Steamboat Springs	10
Sterling	23

CONNECTICUT

Community	Channel No.
Bridgeport	42, *49
Hartford	31, 33, *45, 46
New Britain	35
New Haven	*6, 10, 39
New London	26
Norwich	*9
Waterbury	20

DELAWARE

Community	Channel No.
Seaford	*44
Wilmington	*12, 31

DISTRICT OF COLUMBIA

Community	Channel No.
Washington	7, 9, *27, *33, 35, 36, 48, 50

FLORIDA

Community	Channel No.
Boca Raton	*40
Bradenton	42
Cape Coral	35
Clearwater	21
Clermont	17
Cocoa	*30, 51
Daytona Beach	11, 49
Destin	48
Fort Lauderdale	30
Fort Myers	9, 15, *31
Fort Pierce	34, *38
Fort Walton Beach	40, 49, 50
Gainesville	9, 16, *36
High Springs	28
Hollywood	47
Jacksonville	*7, 13, 19, 32, 34, 42, *44
Key West	3, 8
Lake Worth	36
Lakeland	19
Leesburg	40, *46
Live Oak	48
Marianna	51
Melbourne	43, 48
Miami	7, 10, *18, 19, *20, 22, 23, 31, 32, 35, 46
Naples	41, 45
New Smyrna Beach	*33
Ocala	31
Orange Park	10
Orlando	22, *23, 26, 27, 39, 41
Palm Beach	49
Panama City	7, 9, 13, *38
Panama City Beach	47
Pensacola	17, *31, 34, 45
Sarasota	24
St. Petersburg	10, 38, 44
Stuart	44
Tallahassee	24, 27, *32, 40
Tampa	7, 12, *13, 29, *34, 47
Tequesta	16
Tice	33
Venice	25
West Palm Beach	12, 13, *27, 28

GEORGIA

Community	Channel No.
Albany	10, 12

Athens	*8, 48
Atlanta	10, 19, 20, *21, 25, 27, 39, *41, 43
Augusta	12, 30, 42, 51
Bainbridge	49
Baxley	35
Brunswick	24
Chatsworth	*33
Cochran	*7
Columbus	9, 15, *23, 35, 49
Cordele	51
Dalton	16
Dawson	*8
Macon	13, 16, 40, 45
Monroe	44
Pelham	*6
Perry	32
Rome	51
Savannah	*9, 11, 22, 39
Thomasville	46
Toccoa	24
Valdosta	43
Waycross	*8
Wrens	*6

HAWAII

Community	Channel No.
Hilo	9, 11, 13, 22, 23
Honolulu	8, 9, *10, *11, 19, 23, 27, 31, 33, 35, 40, *43
Kailua	50
Kailua Kona	25
Kaneohe	41
Wailuku	7, *10, 12, 16, 21, 24
Waimanalo	38

IDAHO

Community	Channel No.
Boise	7, *21, 28, 39
Caldwell	10
Coeur D'alene	*45
Filer	*18
Idaho Falls	8, 20, 36
Lewiston	32
Moscow	*12
Nampa	12, 24
Pocatello	15, *17, 23, 31
Sun Valley	32
Twin Falls	11, *22, 34

ILLINOIS

Community	Channel No.
Aurora	50
Bloomington	28
Carbondale	*8
Champaign	41, 48
Charleston	*50
Chicago	7, 12, 19, *21, 27, 29, 31, 43, 45, *47
Decatur	18, 22
East St. Louis	47
Freeport	23
Harrisburg	34
Jacksonville	*15
Joliet	38
LaSalle	10
Macomb	*21
Marion	17
Moline	*23, 38
Mount Vernon	21
Olney	*19
Peoria	19, 25, 30, 39, *46
Quincy	10, 32, *34
Rock Island	4
Rockford	13, 16, 42
Springfield	13, 42, 44
Urbana	*9, 26

INDIANA

Community	Channel No.
Angola	12
Bloomington	*14, 27, 42, 48
Elkhart	28
Evansville	*9, 25, 28, 45, 46
Fort Wayne	19, 24, 31, 36, *40
Gary	*17, 51
Hammond	36
Indianapolis	9, 13, 16, *21, 25, *44, 45
Kokomo	29
Lafayette	11
Marion	32
Muncie	23
Richmond	39
Salem	51
South Bend	22, *35, 42, 48
Terre Haute	10, 36, 39
Vincennes	*22

IOWA

Community	Channel No.
Ames	5, 23, *34
Burlington	41
Cedar Rapids	9, 27, 47, 51
Council Bluffs	*33
Davenport	*34, 36, 49
Des Moines	8, *11, 13, 16, 31
Dubuque	43
Fort Dodge	*25
Iowa City	*12, 25
Mason City	*18, 42
Newton	39
Ottumwa	15
Red Oak	*35
Sioux City	9, *28, 39, 41, 44
Waterloo	7, 22, *35

KANSAS

Community	Channel No.
Colby	17, 19
Derby	46
Dodge City	*21
Ensign	6
Garden City	11, 13
Goodland	10
Great Bend	22
Hays	7, *16
Hoisington	14
Hutchinson	*8, 12, 35
Lakin	*8
Lawrence	41
Pittsburg	7, 13
Salina	17
Topeka	*11, 12 , 13, 27, 49
Wichita	10, 26, 31, 45

KENTUCKY

Community	Channel No.
Ashland	*26, 44
Beattyville	7
Bowling Green	13, 16, *18, *48
Campbellsville	19
Covington	*24
Danville	4
Elizabethtown	*43

Harlan	51
Hazard	12, *16
Lexington	13, 39, 40, *42
Louisville	8, 11, *17, 26, *38, 47, 49
Madisonville	20, *42
Morehead	*15, 21
Murray	*36
Newport	29
Owensboro	30
Owenton	*44
Paducah	32, 41, 49
Pikeville	*24
Somerset	*14

LOUISIANA

Community	Channel No.
Alexandria	*26, 31, 35, 41
Baton Rouge	9, 13, *25, 34, 45
Columbia	11
Hammond	42
Lafayette	10, 16, *23, 28
Lake Charles	7, *20, 30
Minden	21
Monroe	8, *13
New Iberia	50
New Orleans	8, *11, 15, 21, 26, *31, 36, 43, 50
Shreveport	17, *25, 28, 34, 44
Slidell	24
West Monroe	36, 38

MAINE

Community	Channel No.
Augusta	*10
Bangor	2, 7, 19
Biddeford	*45
Calais	*10
Lewiston	35
Orono	*9
Poland Spring	8
Portland	38, 43, 44
Presque Isle	8, *10, 47
Waterville	23

MARYLAND

Community	Channel No.
Annapolis	*42

Baltimore	11, 13, *29, 38, 40, 41, 46,
Frederick	*28
Hagerstown	26, 39, *44
Oakland	*36
Salisbury	21, *28, 47

MASSACHUSETTS

Community	Channel No.
Adams	36
Boston	7, *19, 20, 30, 31, 32, 39, *43
Cambridge	41
Lawrence	18
Marlborough	27
New Bedford	22, 49
Norwell	10
Pittsfield	13
Springfield	11, *22, 40
Vineyard Haven	40
Worcester	29, *47

MICHIGAN

Community	Channel No.
Alpena	11, *24
Ann Arbor	31
Bad Axe	*15
Battle Creek	20, 44
Bay City	22, 46
Cadillac	9, *17, 47
Calumet	5
Cheboygan	35
Detroit	7, 14, 21, 41, *43, 44, 45
East Lansing	*40
Escanaba	48
Flint	12, 16, *28
Grand Rapids	7, *11, 13, 19
Iron Mountain	8
Ishpeming	10
Jackson	34
Kalamazoo	*5, 8, 45
Lansing	36, 38, 51
Manistee	*21
Marquette	*13, 19, 35
Mount Clemens	39
Mount Pleasant	*26
Muskegon	24
Onondaga	10
Saginaw	30, 48
Sault Ste. Marie	8, 10

Traverse City 7, 29

MINNESOTA

Community	Channel No.
Alexandria	7, 42
Appleton	*10
Austin	*20, 36
Bemidji	*9, 26
Brainerd	*28
Chisholm	11
Crookston	*16
Duluth	*8, 10, 17, 27, 33
Hibbing	13, *31
Mankato	12
Minneapolis	9, 11, 22, 29, 32, 45
Redwood Falls	27
Rochester	10, 46
St. Cloud	40
St. Paul	*26, *34, 35
Thief River Falls	10
Walker	12
Worthington	*15

MISSISSIPPI

Community	Channel No.
Biloxi	13, *16
Booneville	*12
Bude	*18
Columbus	35, *43
Greenville	15
Greenwood	*25, 32
Gulfport	48
Hattiesburg	22
Holly Springs	41
Houston	45
Jackson	7, 12, *20, 21, 40, 51
Laurel	28
Magee	34
Meridian	11, 24, 31, *44
Mississippi State	*10
Natchez	49
Oxford	*36
Tupelo	8
Vicksburg	35
West Point	16

MISSOURI

Community	Channel No.
Cape Girardeau	12, 22
Columbia	8, 17
Hannibal	7
Jefferson City	12, 20
Joplin	*25, 43, 46
Kansas City	9, *18, 24, 31, 34, 42, 47, 51
Kirksville	33
Osage Beach	49
Poplar Bluff	15
Sedalia	15
Springfield	10, 19, *23, 28, 44
St. Joseph	7, 21
St. Louis	14, 24, 26, 31, 35, *39, 43

MONTANA

Community	Channel No.
Billings	10, 11, 18
Bozeman	*8, 13
Butte	5, 6, 19, 24
Glendive	10
Great Falls	7, 8, 26, 45
Hardin	22
Havre	9
Helena	12, 29
Kalispell	9
Lewistown	13
Miles City	3
Missoula	7, *11, 13, 17, 23

NEBRASKA

Community	Channel No.
Alliance	*13
Bassett	*7
Grand Island	11, 19
Hastings	5, *28
Hayes Center	18
Kearney	36
Lexington	*26
Lincoln	8, 10, *12, 51
McCook	12
Merriman	*12
Norfolk	*19
North Platte	2, *9
Omaha	15, *17, 20, 22, 43, 45

Scottsbluff 7, 17, 29
 Superior 34

NEVADA

Community	Channel No.
Elko	10
Ely	3, 27
Goldfield	50
Henderson	9
Las Vegas	2, 7, *11, 13, 16, 22, 29
Laughlin	32
Paradise	40
Reno	7, 9, 13, *15, 20, 26, 44
Tonopah	9
Winnemucca	7

NEW HAMPSHIRE

Community	Channel No.
Concord	33
Derry	35
Durham	*11
Keene	*49
Littleton	*48
Manchester	9
Merrimack	34

NEW JERSEY

Community	Channel No.
Atlantic City	44, 49
Burlington	27
Camden	*22
Linden	36
Montclair	*51
New Brunswick	*8
Newark	13, 30
Newton	18
Paterson	40
Secaucus	38
Trenton	*43
Vineland	29
West Milford	*29
Wildwood	36

NEW MEXICO

Community	Channel No.
Albuquerque	7, 13, *17, 22, 24, 26, *35, 42, 45
Carlsbad	19, 25
Clovis	20
Farmington	8, 12
Hobbs	29
Las Cruces	*23, 47
Portales	*32
Roswell	8, 10, 21, 27
Santa Fe	*9, 10, 27, 29
Silver City	10, 12

NEW YORK

Community	Channel No.
Albany	7, 12, 26
Amsterdam	50
Batavia	23
Bath	14
Binghamton	7, 8, 34, *42
Buffalo	14, 32, 33, 34, 38, 39, *43
Carthage	7
Corning	*30, 48
Elmira	18, 36
Garden City	*21
Ithaca	20
Jamestown	26
Kingston	48
New York	7, 11, *24, 28, 31, 33, 44
North Pole	14
Norwood	*23
Plattsburgh	*38
Poughkeepsie	27
Riverhead	47
Rochester	10, 13, *16, 28, 45
Saranac Lake	40
Schenectady	6, *34, 43
Smithtown	23
Springville	7
Syracuse	15, 17, 19, 24, *25, 44, 47
Utica	27, 29, 30
Watertown	21, *41

NORTH CAROLINA

Community	Channel No.
Asheville	13, *25, 45

Belmont	47
Burlington	14
Chapel Hill	*25
Charlotte	*11, 22, 23, 27, 34
Concord	*44
Durham	11, 28
Edenton	*20
Fayetteville	36, 38
Goldsboro	17
Greensboro	33, 43, 51
Greenville	10, 14, *23, 51
Hickory	40
High Point	8
Jacksonville	*19, 34
Kannapolis	50
Lexington	19
Linville	*17
Lumberton	*31
Manteo	9
Morehead City	8
New Bern	12
Raleigh	27, 48, 49
Roanoke Rapids	*36
Rocky Mount	15
Washington	32
Wilmington	*29, 30, 44, 46
Wilson	42
Winston Salem	29, 31, *32

NORTH DAKOTA

Community	Channel No.
Bismarck	12, 16, *22, 26, 31
Devils Lake	8, *25
Dickinson	7, *9, 19
Ellendale	*20
Fargo	*13, 19, 21, 44
Grand Forks	*15, 27
Jamestown	7
Minot	10, 13, 14, 24, *40
Pembina	12
Valley City	38
Williston	8, 14, *51

OHIO

Community	Channel No.
Akron	23, 30, *50
Alliance	*45

Athens	*27
Bowling Green	*27
Cambridge	*35
Canton	39, 47
Chillicothe	46
Cincinnati	10, 12, 33, *34, 35
Cleveland	8, 15, 17, *26, 34
Columbus	13, 14, 21, 36, *38
Dayton	*16, 30, 41, 50, 51
Lima	8, 47
Lorain	28
Mansfield	12
Newark	24
Oxford	*28
Portsmouth	17, *43
Sandusky	42
Shaker Heights	10
Springfield	26
Steubenville	9
Toledo	5, 11, 13, *29, 46, 49
Youngstown	20, 36, 41
Zanesville	40

OKLAHOMA

Community	Channel No.
Ada	26
Bartlesville	17
Cheyenne	*8
Claremore	*36
Eufaula	*31
Lawton	11
Muskogee	20
Norman	46
Oklahoma City	7, 9, *13, 15, 24, 27, 33, 40, 50, 51
Okmulgee	28
Shawnee	29
Tulsa	8, 10, *11, 22, 42, 45, 47, 49
Woodward	35

OREGON

Community	Channel No.
Bend	*11, 21, 51
Coos Bay	11, 22
Corvallis	*7
Eugene	9, 13, 17, *29, 31
Grants Pass	30
Klamath Falls	13, 29, *33
La Grande	*13, 29

Medford	5, *8, 10, 12, 26
Pendleton	11
Portland	8, *10, 12, 40, 43, 45
Roseburg	18, 19, 45
Salem	22, 33

PENNSYLVANIA

Community	Channel No.
Allentown	*39, 46
Altoona	24, 32, 46
Bethlehem	9
Clearfield	*15
Erie	12, 16, 22, 24, *50
Greensburg	50
Harrisburg	10, 21, *36
Hazleton	45
Jeannette	49
Johnstown	8, 34
Lancaster	8, 23
Philadelphia	6, 17, 26, 32, 34, *35, 42
Pittsburgh	*13, 25, 38, 42, 43, 48, 51
Reading	25
Red Lion	30
Scranton	13, 32, 38, *41, 49
Wilkes Barre	11
Williamsport	29
York	47

RHODE ISLAND

Community	Channel No.
Block Island	17
Providence	12, 13, *21, 51

SOUTH CAROLINA

Community	Channel No.
Allendale	*33
Anderson	14
Beaufort	*44
Charleston	*7, 24, 34, 36, 47, 50
Columbia	8, 10, 17, *32, 47, 48
Conway	*9
Florence	13, 16, 21, *45
Georgetown	*38
Greenville	*9, 16, 21, 36
Greenwood	*18
Hardeeville	28

Myrtle Beach	18, 32
Rock Hill	15, 39
Spartanburg	7, 43
Sumter	*28, 39

SOUTH DAKOTA

Community	Channel No.
Aberdeen	9, *17
Brookings	*8
Eagle Butte	*13
Florence	3
Huron	12
Lead	10, 29
Lowry	*11
Martin	*8
Mitchell	26
Pierre	*10, 19
Rapid City	2, 7, 16, 21, *26
Reliance	13
Sioux Falls	7, 11, 13, *24, 36, 47
Vermillion	*34

TENNESSEE

Community	Channel No.
Chattanooga	9, 12, 13, *29, 40
Cleveland	42
Cookeville	*22, 36
Crossville	20
Greeneville	38
Hendersonville	51
Jackson	39, 43
Jellico	23
Johnson City	11
Kingsport	19
Knoxville	7, 10, *17, 26, 30, 34
Lebanon	44
Lexington	*47
Memphis	5, *10, 13, *23, 25, 28, *29, 31, 51
Murfreesboro	38
Nashville	5, *8, 10, 15, 21, 23, 27,
Sneedville	*41
Tazewell	48

TEXAS

Community	Channel No.
Abilene	15, 24, 29