



PUBLIC NOTICE

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FCC PUBLIC NOTICE

DA 08-631
March 21, 2008

Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order And Eighth Report and Order Published in Federal Register Today

**Revised Final DTV Table of Allotments is Effective March 21, 2008
Applications for Construction Permits Are Due June 19, 2008
Expedited Processing of CP Applications Is Available Until April 21, 2008
for Stations That Filed Petitions for Reconsideration**

1. By this Public Notice, the Media Bureau announces that the *Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order*¹ were published in the Federal Register on March 21, 2008.² These Orders address petitions for reconsideration that were filed with respect to the final DTV Table of Allotments that was adopted by the Commission August 1, 2007 and requests that were filed too late to be considered in that Order.³ Pursuant to the Ordering Clause,⁴ the revised Post-Transition DTV Table of Allotments (rule section 73.622(i)) adopted in the *Seventh MO&O on Reconsideration* and the *Eighth Report and Order* is now in effect.⁵

2. Applications for Construction Permits. As specified in the Public Notice issued on January 30, 2008,⁶ most stations filing an application for a construction permit must file their application by June 19, 2008.⁷

3. Expedited Processing. The *Third Periodic Report and Order*⁸ allowed stations to

¹ *Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order*, MB Docket No. 87-268, Memorandum Opinion and Order and Report and Order, FCC 08-72 (rel. Mar. 6, 2008) ("*Seventh MO&O on Reconsideration*" and "*Eighth Report and Order*").

² *Seventh MO&O on Reconsideration and Eighth Report and Order*, 73 Fed. Reg. 15284 (Mar. 21, 2008).

³ *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making, In the Matter of Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service*, Report and Order and Further Notice of Proposed Rule Making, 22 FCC Rcd 15581 (2007).

⁴ See *Seventh MO&O on Reconsideration and Eighth Report and Order*, *supra* note 1, at ¶ 173.

⁵ *Id.* at Appendix A.

⁶ See Public Notice, "*Third DTV Periodic Report and Order Published in Federal Register Today*," DA 08-172 (rel. Jan. 30, 2008) (announcing effective date of the rules and forms adopted in the *Third DTV Periodic Review Report and Order* and setting filing deadlines) ("*Third Periodic PN*").

⁷ Stations with a construction deadline of August 18, 2008, were required to file by March 17, 2008. *Id.*

⁸ *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, Report and Order, FCC 07-228 (rel. Dec. 31, 2007) ("*Third DTV Periodic Report and Order*").

file by March 17, 2008, if they met specified criteria⁹ and wished to take advantage of “expedited processing.” The *Seventh MO&O on Reconsideration* recognized that stations that filed petitions for reconsideration may have waited to see how the Order addressed their request before filing an application. Accordingly, the Order allowed stations that filed petitions for reconsideration to receive expedited processing, provided they meet the specified criteria¹⁰ and file no later than April 21, 2008.¹¹

4. Electronic Filing Required. FCC Forms 301 and 340 must be filed electronically using the Commission’s Consolidated Database System (“CDBS”) Electronic Filing System via the Internet from the Media Bureau’s Web site at: <http://www.fcc.gov/mb/cdbs.html> or http://fjallfoss.fcc.gov/prod/cdbs/forms/prod/cdbs_ef.htm.

5. Additional Information. For more information, contact the Media Bureau’s Video Division, Nazifa Sawez, nazifa.sawez@fcc.gov, at (202) 418-7059, Kevin Harding, kevin.harding@fcc.gov, at (202) 418-7077 or Policy Division, Kim Matthews, kim.matthews@fcc.gov, at (202) 418-2154. Press inquiries should be directed to Mary Diamond, (202) 418-2388. TTY: (202) 418-7172 or (888) 835-5322.

By the Chief, Media Bureau

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⁹ The *Third DTV Periodic Report and Order* established expedited processing for stations whose application meets all three of the following requirements: (1) The application does not seek to expand the station’s facilities beyond its final post-transition DTV Table Appendix B facilities; (2) The application specifies facilities that match or closely approximate the DTV Table Appendix B facilities (i.e., if the station is unable to build precisely the facilities specified in the new DTV Table Appendix B, then it must apply for facilities that are no more than five percent smaller than its facility specified in Appendix B facilities with respect to predicted population); and (3) The application is filed within 45 days of the effective date of this Report and Order, pending OMB approval. *See id.* at ¶ 140.

¹⁰ *See* criteria one and two, *id.*

¹¹ *See Seventh MO&O on Reconsideration and Eighth Report and Order*, *supra* note 1, at ¶ 90.