

DOCKET FILE COPY ORIGINAL

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

MAILED
JUN 18 2008

In the matter of)
)
Amendment of Section 73.202(b))
FM Table of Allotments,)
FM Broadcast Stations.)
(Dededo, Guam))

MB Docket No. 08-12
RM-11414

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 11, 2008

Released: June 13, 2008

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rulemaking*¹ issued at the request of Moy Communications, Inc., proposing the allotment of Channel 243C1 at Dededo, Guam. Petitioner filed comments reiterating its continuing interest. No counterproposals were received in this proceeding.

2. We find that the public interest would be served by allotting Channel 243C1 at Dededo as its second local aural transmission service, under Priority 4 of the FM allotment priorities.² Channel 243C1 can be allotted at Dededo, consistent with the technical engineering requirements of the Commission's Rules, at reference coordinates of 13-29-17 North Latitude and 144-49-35 West Longitude, with a site restriction of 3.2 kilometers (2 miles) south of the community.

3. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective July 28, 2008, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED³ for the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Dededo, Guam	243C1

¹ See *Dededo, Guam*, Notice of Proposed Rule Making, 23 FCC Rcd 1238 (MB 2008).

² The FM allotment priorities are: (1) First full-time aural service; (2) Second full-time aural service; (3) First local service; and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3). See *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982), *recon. denied*, Memorandum Opinion and Order, 56 RR 2d 448 (1983).

³ “[W]e shall amend the Table of Allotments to reflect only vacant allotments that do not correspond to an authorized station or reserved assignment. Assignments for licensed, permitted, and reserved facilities (those for which applications are pending) will be reflected solely in CDBS.” See *Revised Allotment Procedures R&O*, 21 FCC Rcd at 14222 (footnote omitted).

4. A summary of this Report and Order will be published in the Federal Register because we are amending Section 73.202(b) of the Commission's Rules.
5. A filing window period for Channel 243C1 at Dededo, Guam, 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.
6. 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. Section 801(a)(1)(A).
7. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.
8. For further information concerning this proceeding, contact R. Barthen Gorman, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau