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

In the Matter of )
)
Amendment of Section 73.202(b), ) MB Docket No. 08-196
Table of Allotments, ) RM-11487
FM Broadcast Stations. )
(Marquez, Texas) )

APR 21 2009
FCC

REPORT AND ORDER
(Proceeding Terminated)

Adopted: April 15, 2009

Released: April 17, 2009

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division considers herein the Notice of Proposed Rule Making ("Notice"), issued at the request of Charles Crawford ("Petitioner"), proposing the allotment of Channel 296A at Marquez, Texas, as its first local FM transmission service. Petitioner filed comments. No counterproposals or other comments were received in response to this Notice. For the reasons discussed below, we are amending the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, by allotting Channel 296A at Marquez.

2. Background. The Notice proposed the allotment of Channel 296A at Marquez, as its first local service. As stated in the Notice, Marquez is an incorporated city with a 2000 U.S. Census population of 220 persons. It has its own fire department, post office, and a number of local churches. Additionally, Petitioner states that the 2004 Texas Almanac lists Marquez as having forty-four businesses, receiving a credit rating by Dun & Bradstreet as of November 2002.

3. Discussion. Accordingly, we are allotting Channel 296A at Marquez, as its first local service. Channel 296A at Marquez can be allotted, consistent with the minimum distance separation requirements of the Commission's Rules (the "Rules) with the imposition of a site restriction located 13.6 kilometers (8.4 miles) west of the community at reference coordinates 31-14-20 NL and 96-23-45 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. Ordering clauses. 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 June 1, 2009, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the communities listed below, to read as follows:

1 See Marquez, Texas, Notice of Proposed Rule Making, 23 FCC Rcd 15312 (MB 2008).

2 47 C.F.R. § 73.202(b).

CommunitiesChannel No.

Marquez, Texas

296A

6. The window period for filing applications for Channel 296A at Marquez 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. IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

8. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
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Audio Division  
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