

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

In the Matter of)
)
)
 Amendment of Section 73.622(i),) MB Docket No. 08-193
 Final DTV Table of Allotments,) RM-11489
 Television Broadcast Stations.)
 (Hayes Center, Nebraska))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 22, 2008

Released: December 23, 2008

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking¹ issued in response to a petition for rulemaking filed by Pappas Telecasting of Central Nebraska, L.P. ("Pappas"), the licensee of KWNB(TV), analog channel 6, and permittee of station KWNB-DT, DTV channel 18, Hayes Center, Nebraska, requesting the substitution of its analog channel, channel 6, for its assigned DTV channel 18 at Hayes Center. Pappas filed comments. No other comments were received

2. We believe the public interest would be served by substituting DTV channel 6 for DTV channel 18. Substitution of DTV channel 6 for DTV channel 18 will permit Pappas to utilize some of its current analog equipment, resulting in faster construction and operation of its digital facility. In addition, the proposed channel 6 facility will serve more persons than the authorized facility on channel 18.

3. DTV channel 6 can be substituted for DTV channel 18 at Hayes Center, Nebraska as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, at coordinates 40-37-32 N. and 101-01-45 W. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission's rules with the following specifications:

City and State	DTV Channel	DTV Power (kW)	Antenna HAAT (meters)	DTV Service Pop. (thous.)
Hayes Center, Nebraska	6	3.0	221	77

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective 30 days after the date of publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

¹ Kearney, Nebraska, DA 08-2116 (released September 19, 2008).

City and State

Channel No.

Hayes Center, Nebraska 6

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Pappas Telecasting of Central Nebraska, L.P. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV channel 6 in lieu of DTV channel 18.

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. § 801(a)(1)(A).

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

8. For further information concerning the proceeding listed above, contact Joyce L. Bernstein, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau