

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

OCT 27 2009

FCC MAIL ROOM

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
)
FM Broadcast Stations.)
(Dubois, Wyoming))

MB Docket No. 09-83
RM-11532

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: October 21, 2009

Released: October 23, 2009

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division issued a Notice of Proposed Rule Making in response to a Petition for Rule Making filed by Lorenz E. Proietti ("Petitioner").¹ The Notice proposes the allotment of FM Channel 242C2 at Dubois, Wyoming, as potentially the community's first transmission service.

2. Petitioner filed comments supporting the allotment of Channel 242C2 at Dubois. Comments in support of the allotment also were filed by Cochise Broadcasting LLC. No other comments were received.

3. We find that the allotment of Channel 242C2 at Dubois, Wyoming, would serve the public interest. The reference coordinates for Channel 242C2 at Dubois, Wyoming, are 43-29-59 NL and 109-41-17 WL, with a site restriction of 6.0 km (3.8 miles) southwest of the community.

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.²

5. Accordingly, IT IS ORDERED, That effective December 7, 2009, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED as follows:

<u>Community</u>	<u>Channel Number</u>
Dubois, Wyoming	242C2

6. IT IS FURTHER ORDERED, That the Secretary of the Commission shall send by Certified Mail, Return Receipt Requested, a copy of this Order to the following:

¹ *Dubois, Wyoming*, Notice of Proposed Rule Making, 24 FCC Rcd 7606 (MB 2009).

² See 5 U.S.C. § 801 (a)(1)(A).

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(Counsel for Lorenz E. Proietti)

7. A filing window period for Channel 242C2 at Dubois, Wyoming, 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.

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

9. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072. Questions related to the application filing process for Channel 260A at Dubois, Wyoming, should be addressed to the Audio Division, Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau