

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

In the Matter of)

Amendment of Section 73.622(i),)
Post-Transition Table of DTV Allotments,)
Television Broadcast Stations.)
(Opelika, Alabama))

MB Docket No. 09-162
RM-11559

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REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 21, 2009

Released: October 22, 2009

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 Opelika, L.P. ("Pappas"), the licensee of station WLGA(TV), channel 47, Opelika, Alabama. Pappas has requested the substitution of channel 30 for its allotted channel 47 at Opelika, and to make related technical changes. Pappas filed comments reaffirming its interest in the proposed channel substitution. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel 30 for DTV channel 47 at Opelika. The change in allotment and related technical changes to station WLGA(TV) will permit it to increase its power and service area without loss of any service to existing viewers.

3. Channel 30 can be substituted for channel 47 at Opelika, Alabama, as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, at coordinates 32-19-16 N. and 84-47-28 W. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616, 73.622(f)(5) and 73.623 of the Commission's rules with the following specifications:²

City and State	DTV Channel	DTV Power (kW)	Antenna HAAT (meters)	DTV Service Pop (thous.)
Opelika, Alabama	30	800	532	1173

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to Section 553(d)(3) of the Administrative Procedures Act.³ An expedited effective date is necessary in this case to ensure that station WLGA(TV) can provide improved service to the market as quickly as possible.

5. 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

¹ Opelika, Alabama, DA 09-2026 (released September 9, 2009).

² 47 C.F.R. §§ 73.616, 73.622(f)(5) and 73.623.

³ 5 U.S.C. § 553(d)(3).

Commission's rules, IT IS ORDERED, That effective immediately upon the date of publication of this Report and Order in the Federal Register, the Post-Transition Table of DTV Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Opelika, Alabama	30

6. IT IS FURTHER ORDERED, That within 30 days of the effective date of this Order, Pappas Telecasting of Opelika, L.P., shall submit to the Commission a minor change application for a construction permit (FCC Form 340) specifying channel 30 in lieu of channel 47.

7. 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).

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

9. For further information concerning the proceeding listed above, contact David J. Brown, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION



Barbara A. Kreisman
Chief, Video Division
Media Bureau