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

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FEB - 2010

FCC Mail Room

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MB Docket No. 09-179
Table of Allotments,	)	RM-11568
FM Broadcast Stations.	)	
(Chester, Georgia)	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

Adopted: January 27, 2010

Released: January 29, 2010

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division considers herein the *Notice of Proposed Rule Making*<sup>1</sup> issued at the request of Georgia Eagle Broadcasting, Inc. ("Petitioner"), proposing the allotment of Channel 244A at Chester, Georgia, as its first local transmission service. Petitioner filed a Request for Dismissal of Rulemaking ("Request") and its associated application.<sup>2</sup> It claims that no consideration was received in conjunction with its request to withdraw. No counterproposals or other comments were received in response to this *Notice*. For the reasons discussed below, we are dismissing the Petition for Rule Making.

2. We will grant Petitioner's Request to dismiss its rulemaking Petition because the requirements of Section 1.420(j) of the Commission's Rules have been met.<sup>3</sup> Petitioner has demonstrated that no consideration has been or will be received in exchange for its withdrawal. Furthermore, we will not allot Channel 244A at Chester, Georgia because no other expression of interest has been filed for the proposed allotment.

3. Accordingly, IT IS ORDERED, That the Petition for Rule Making filed by Georgia Eagle Broadcasting, Inc., IS DISMISSED. Additionally, the FCC Form 301, File No. BNPH-20090820ADR, IS DISMISSED.

4. This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this Report and Order to GAO, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A) because the proposed rule was dismissed.

5. IT FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

<sup>1</sup> See *Chester, Georgia*, Notice of Proposed Rule Making, 24 FCC Rcd 12897 (MB 2009) (*Notice*).

<sup>2</sup> File No. BNPH-20090820ADR.

<sup>3</sup> 47 C.F.R. § 1.420(j)

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

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau