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

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FCC Mail Room

In the Matter of)
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)
Amendment of Section 73.622(i),) MB Docket No. 11-137
Post-Transition Table of DTV Allotments,) RM-11637
Television Broadcast Stations.)
(Montgomery, Alabama))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: November 4, 2011

Released: November 9, 2011

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 Channel 32 Montgomery, LLC ("Channel 32"), the licensee of WNCN(TV), channel 32, Montgomery, Alabama. Channel 32 requests the substitution of channel 31 for channel 32 at Montgomery. Channel 32 filed comments reaffirming its interest in the proposed channel substitution. No other comments were received.

2. We believe the public interest will be served by substituting channel 31 for channel 32 at Montgomery. Channel 32 believes that operation on channel 31 would allow fuller replication of the station's former analog service area, and submitted a technical proposal showing that the proposed channel 31 facility would significantly increase the geographic area within the station's protected contour.

3. Channel 31 can be substituted for channel 32 at Montgomery, Alabama as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, at coordinates 32-08-58 N. and 86-46-51 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 | Channel | Power (kW) | Antenna HAAT (meters) | Service Pop. (thous.) |
|---------------------|---------|------------|-----------------------|-----------------------|
| Montgomery, Alabama | 31 | 720 | 473 | 642 |

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r)

¹ *Montgomery, Alabama*, DA 11-1414 (Vid. Div., rel. Aug. 18, 2011).

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 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 Nos.</u> |
|-----------------------|---------------------|
| Montgomery, Alabama | 12, 20, *27, 31, 46 |

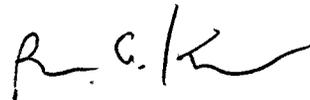
5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Channel 32 Montgomery, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying channel 31 in lieu of channel 32.

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) 418-1647.

FEDERAL COMMUNICATIONS COMMISSION



Barbara A. Kreisman
Chief, Video Division
Media Bureau