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

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	
Table of Allotments,	)	
FM Broadcast Stations.	)	
(Junction, Texas)	)	MM Docket No. 01-198
	)	RM-10213
	)	
(Dilley, Texas)	)	MM Docket No. 01-200
	)	RM-10215
	)	
(Goree, Texas)	)	MM Docket No. 01-202
	)	RM-10217
	)	
(Leakey, Texas)	)	MM Docket No. 01-203
	)	RM-10218
	)	
(Sweetwater, Texas)	)	MM Docket No. 01-204
	)	RM-10219
	)	
(Arnett, Oklahoma)	)	MM Docket No. 01-236
	)	RM-10242
	)	
(Sayre, Oklahoma)	)	MM Docket No. 01-237
	)	RM-10243
	)	
(Hebbronville, Texas)	)	MM Docket No. 01-238
	)	RM-10244
	)	
(Bruni, Texas)	)	MM Docket No. 01-239
	)	RM-10245
	)	
(Rison, Arkansas)	)	MM Docket No. 01-240
	)	RM-10246
	)	
(Matador, Texas)	)	MM Docket No. 01-270
	)	RM-10277
	)	
(Turkey, Texas)	)	MM Docket No. 01-272
	)	RM-10279
	)	
(Richland Springs, Texas)	)	MM Docket No. 01-274
	)	RM-10286

REPORT AND ORDER
(Proceedings Terminated)

Adopted: July 24, 2002 **Released: August 2, 2002**

By the Assistant Chief, Audio Division:

1. The Commission has before it *Notices of Proposed Rule Making*, specified below, setting forth 13 separate proposals to allot a FM channel to a specific community. Each petitioner filed comments in support of its proposal reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements and we continue to believe that each proposal would serve the public interest. Accordingly, we adopt each proposal as originally proposed. These are as follows:

A. MM Docket No. 01-198, RM-10213; 16 FCC Rcd 15801 (2001)

Action: At the request of Katherine Pyeatt, we are allotting Channel 277C3 at Junction, Texas, as the community's second local FM transmission service.[1]

Coordinates: The reference coordinates for Channel 277C3 at Junction are 30-22-51 North Latitude and 99-47-59 West Longitude.

Additional Information: This allotment requires a site restriction of 12.3 kilometers (7.6 miles) south to avoid short-spacings to the licensed sites of Station KKCN(FM), Channel 276C1, Ballinger, Texas, and Station KEEP(FM), Channel 276A, Bandera, Texas. Although concurrence has been requested for Channel 277C3 at Junction, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Junction herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

[1] We note that *Notices of Proposed Rule Making* were issued in Docket Nos. 01-132, 01-228 and 01-263 requesting the allotment of Channels 297A, 284A, and 292A at Junction, Texas, respectively, which are pending. See 16 FCC Rcd 1260 (2001), 16 FCC Rcd 16341 (2001), and 16 FCC Rcd 17161 (2001).

FCC Contact: Sharon P. McDonald (202) 418-2180

B. MM Docket No. 01-200, RM-10215; 16 FCC Rcd 15801 (2001

Action: At the request of Jeraldine Anderson, we are allotting Channel 264A at Dilley, Texas, as the community's second local FM transmission service.

Coordinates: The reference coordinates for Channel 264A at Dilley are 28-40-02 North Latitude and 99-10-13 West Longitude.

Additional Information: This allotment is located at city reference coordinates and does not require a site restriction. Although concurrence has been requested for Channel 264A at Dilley, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Dilley herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Sharon P. McDonald (202) 418-2180

C. MM Docket No. 01-202, RM-10217; 16 FCC Rcd 15801 (2001)

Action: At the request of Jeraldine Anderson, we are allotting Channel 275A at Goree, Texas, the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 275A at Goree are 33-30-00 and North Latitude and 99-30-00 West Longitude.

Additional Information: This allotment requires a site restriction of 4.3 kilometers (2.7 miles) northeast to avoid a short-spacing to the licensed and construction permit sites of Station KHXS(FM), Channel 274C1, Merkel, Texas.

FCC Contact: Sharon P. McDonald (202) 418-2180

D. MM Docket No. 01-203, RM-10218; 16 FCC Rcd 15801 (2001)

Action: At the request of Jeraldine Anderson, we are allotting Channel 299A at Leakey, Texas as the community's third local FM transmission service.[2]

[2] A petitions for rule making were filed on August 13, 2001 by Katherine Pyeatt and on December 28, 2001 by

Coordinates: The reference coordinates for Channel 299A at Leakey are 29-41-58 North Latitude and 99-53-41 West Longitude.

Additional Information: This allotment requires a site restriction of 13.3 kilometers (8.3 miles) west to avoid short-spacings to the licensed sites of Station KXTN-FM, Channel 298C, San Antonio, Texas, and the licensed site of Station XHPC-FM, Channel 300B, Piedras, Mexico. Although concurrence has been requested for Channel 229A at Leakey notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Leakey herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Sharon P. McDonald (202) 418-2180

E. MM Docket No. 01-204, RM-1219; 16 FCC Rcd 15801 (2001)

Action: At the request of Jeraldine Anderson, we are allotting Channel 221C3 at Sweetwater, Texas, as the community's second local FM transmission service.

Coordinates: The reference coordinates for Channel 221C3 at Sweetwater are 32-28-15 North Latitude and 100-24-20 West Longitude.

Additional Information: This allotment is located at city reference coordinates and requires no site restriction. Although concurrence has been requested for Channel 221C3 at Sweetwater, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Sweetwater herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Sharon P. McDonald (202) 418-2180

F. MM Docket No. 01-236, RM-10242; 16 FCC Rcd 16470 (2001)

Action: At the request of Katherine Pyeatt, we are allotting Channel 285C2 at Arnett, Oklahoma, as the community's first local aural transmission service.

Robert Fabian requesting the allotment of Channel 257A and 275A at Leakey, Texas, respectively, which are pending..

Coordinates: The reference coordinates for Channel 285C2 at Arnett are North 36-02-45 Latitude and 99-56-22 West Longitude.[3]

Additional Information: The allotment requires a site restriction of 17.6 kilometers (11.1 miles) southwest southwest to avoid a short-spacing to the vacant allotment site for Channel 283C1 at Mooreland, Oklahoma.

FCC Contact: Sharon P. McDonald (202) 418-2180

G. MM Docket No. 01-237, RM-10243; 16 FCC Rcd 16470 (2001)

Action: At the request of Jeraldine Anderson, we are allotting Channel 269C2 at Sayre, Oklahoma, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 269C2 at Sayre are 35-17-28 North Latitude and 99-38-23 West Longitude.

Additional Information: This allotment is located at city reference coordinate and requires no site restriction.

FCC Contact: Sharon P. McDonald (202) 418-2180

H. MM Docket No. 01-238, RM-10244; 16 FCC Rcd 16470 (2001)

Action: At the request of Jeraldine Anderson, we are allotting Channel 254A at Hebbronville, Texas, as the community's second local FM transmission service.[4]

Coordinates: The reference coordinates for Channel 254A at Hebbronville are 27-20-15 North Latitude and 98-46-45 West Longitude.

Additional Information: This allotment requires a site restriction of 10.6 kilometers (6.6 miles) west to avoid a short-spacing to the licensed site of Station KGBT-FM, Channel 253C, McAllen, Texas. Although concurrence has been requested for Channel 254A at Hebbronville, notification has not been received. If

[3] We note that the reference coordinates proposed in the *Notice of Proposed Rule Making* were 35-00-10 North Latitude and 99-59-06 West Longitude. However, where, as here, a proposed allotment would be subject to competing applications, it is the Commission's policy to allot the channel with the least site restriction necessary. *See, Stuart and Boone, Iowa,* 5 FCC Rcd 4537 (1990), *recon. den.*, 6 FCC Rcd 6036 (1991).

[4] A petition for rule making was filed on September 6, 2001 by Linda Crawford requesting the allotment of Channel 232A at Hebbronville, Texas.

a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Hebbronville herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Sharon P. McDonald (202) 418-2180

I. MM Docket No. 01-239, RM-10245; 16 FCC Rcd 16470 (2001)

Action: At the request of Jeraldine Anderson, we are allotting Channel 293A at Bruni, Texas, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 293A at Bruni are 27-29-12 North Latitude and 98-51-00 West Longitude.

Additional Information: This allotment requires a site restriction of 6.8 kilometers (4.2 miles) north to avoid a short-spacing to the licensed site of Station KPSO-FM, Channel 292A, Falfurrias, Texas, the construction permit site of Station KTKY(FM), Channel 293C2, Taft, Texas, and the allotment site for Channel 294A at El Lobo, Mexico. Although concurrence has been requested for Channel 293A at Bruni, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Bruni herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Sharon P. McDonald (202) 418-2180

J. MM Docket No. 01-240, RM-10246-; 16 FCC Rcd 16470 (2001)

Action: At the request of Charles Crawford, we are allotting Channel 255A at Rison, Arkansas, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 255A at Rison are 33-56-30 North Latitude and 92-12-13 West Longitude.

Additional Information: This allotment requires a site restriction of 2.2 kilometers (1.4 miles) southwest to avoid a short-spacing to the licensed site of Station KZYP(FM), Channel 257A, Pine Bluff, Arkansas.

FCC Contact: Sharon P. McDonald (202) 418-2180

K. MM Docket No. 01-270, RM-10277; 16 FCC Rcd 17210 (2001)

Action: At the request of Katherine Pyeatt, we are allotting Channel 221C2 at Matador, Texas, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 221C2 at Matador are 34-03-56 North Latitude and 100-36-43 West Longitude.

Additional Information: This allotment requires a site restriction of 20.3 kilometers (12.6 miles) east to avoid a short-spacing to the application site for Channel 220C1 at Morton, Texas.

FCC Contact: Sharon P. McDonald (202) 418-2180

L. MM Docket No. 01-272, RM-10279; 16 FCC Rcd 17210 (2001)

Action: At the request of Katherine Pyeatt, we are allotting Channel 244C2 at Turkey, Texas, as the community's first local aural transmission service.

Coordinates: The reference coordinates for Channel 244C2 at Turkey are 34-10-06 North Latitude and 100-46-46 West Longitude.

Additional Information: This allotment requires a site restriction of 27.1 kilometers (16.9 miles) southeast to avoid a short-spacing to the licensed site of Station KMML-FM, Channel 245C1, Amarillo, Texas.

FCC Contact: Sharon P. McDonald (202) 418-2180

M. MM Docket No. 01-274, RM-10286; 16 FCC Rcd 17210 (2001)

Action: At the request of Linda Crawford, we are allotting Channel 252A at Richland Springs, Texas, as the first local FM transmission service.[5]

Coordinates: The reference coordinates for Channel 252A at Richland Springs are 31-16-10 North Latitude and 98-56-41 West Longitude.

Additional Information: This allotment is located at city reference coordinates and requires no site

[5] We note that counterproposal was filed by Roy E. Henderson in MM Docket No. 01-47, requesting the allotment of Channel 291A at Richland Springs, Texas, which is pending. See 16 FCC Rcd 3522 (2001).

restriction. Although concurrence has been requested for Channel 252A at Richland Springs, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Richland Springs herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Sharon P. McDonald (202) 418-2180

2. Accordingly, pursuant to the authority found 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 **September 16, 2002,** the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

Community	Channel No.
Junction, Texas	228C2, 277C3
Dilley, Texas	255C1, 264A
Goree, Texas	275A
Leakey, Texas	226A, 282A, 299A
Sweetwater, Texas	221C3, 244A
Arnett, Oklahoma	285C2
Sayre, Oklahoma	269C2
Hebbronville, Texas	254A, 269A
Bruni, Texas	293A
Rison, Arkansas	255A
Matador, Texas	221C2
Turkey, Texas	244C2
Richland Springs, Texas	252A

3. The window period for filing applications for these allotments will not be opened at this time. Instead, the issue of opening these allotments for auction will be addressed by the Commission in a subsequent order.

4. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

5. For further information concerning a specific docket, contact the FCC Contact listed above for that docket.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau