

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

In the Matter of	)	
	)	
Amendment of Section 73.622(b),	)	MM Docket No. 00-68
Table of Allotments,	)	RM-9792
Digital Television Broadcast Stations.	)	
(Norfolk, Virginia)	)	

**REPORT AND ORDER**  
**(Proceeding Terminated)**

**Adopted: September 7, 2000**

**Released: September 8, 2000**

By the Chief, Video Services:

1. At the request of WTKR-TV, Inc. ("WTKR"), licensee of station WTKR-TV, NTSC Channel 3, Norfolk, Virginia, the Commission has before it the Notice of Proposed Rule Making, 15 FCC Rcd 7284 (2000), proposing the substitution of DTV Channel 40 for DTV Channel 58 for TV station WTKR at Norfolk. WTKR filed comments stating its intention to apply for DTV Channel 40, if allotted. No other comments were filed.

2. We believe the public interest would be served by substituting DTV Channel 40 for DTV Channel 58 since it will enable station WTKR to continue to broadcast on its transitional in-core DTV channel after the transition period has ended. DTV Channel 40 can be allotted to Norfolk, Virginia, as proposed in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (36-48-56 N. and 76-28-00 W.). In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for station WTKR-TV with the following specifications:

<u>State &amp; City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
VA Norfolk	40	1000	313	1761

3. 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 Commission's Rules, IT IS ORDERED, That effective October 23, 2000, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Norfolk, Virginia	38, 40, 46

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, WTKR-TV, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 40 in lieu of DTV Channel 58 for station WTKR-TV at Norfolk, Virginia.

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

6. For further information concerning this proceeding, contact Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Services Division  
Mass Media Bureau