

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

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 01-41
Table of Allotments,)	RM-10058
Digital Television Broadcast Stations.)	
(Merced, California))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: May 16, 2001

Released: May 18, 2001

By the Chief, Video Services Division:

1. At the request of Sainte 51, L.P. ("Sainte"), permittee of station KNSO(TV), NTSC channel 51, Merced, California, the Commission has before it the Notice of Proposed Rule Making, 66 FR 10982, February 21, 2001, proposing the substitution of DTV channel 5 for station KNSO(TV)'s assigned DTV channel 38. Sainte filed comments reconfirming its continuing interest in applying for DTV channel 5, if allotted to Merced. No other comments were received.

2. We believe the public interest would be served by allotting DTV channel 5 since it will permit station KNSO(TV) to increase its service area, while facilitating the use of a common antenna site. DTV channel 5 can be allotted to Merced, California, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (37-04-18 N. and 119-25-53 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 KNSO(TV) with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
CA Merced	5	12.9	532	1452

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 July 2, 2001, 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:

City

Channel No.

Merced, California

5

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Sainte 51, L.P. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 5 in lieu of DTV Channel 38 for station.

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