

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

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 01-29
Table of Allotments,)	RM-10044
Digital Television Broadcast Stations.)	
(Butte, Montana))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: May 16, 2001

Released: May 18, 2001

By the Chief, Video Services Division:

1. At the request of Eagle Communications, Inc. ("Eagle"), licensee of station KTVM(TV), NTSC channel 6, Butte, Montana, the Commission has before it the Notice of Proposed Rule Making, 66 FR 9062, February 6, 2001. proposing the substitution of DTV channel 33 for station KTVM(TV)'s assigned DTV channel 2. KTVM filed comments stating its intention to apply for DTV channel 33, if allotted to Butte. No other comments were filed.

2. We believe the public interest would be served by the substitution of DTV channel 33 for DTV channel 2 since it will assist station WTVM(TV) to eliminate severe impulse noise that could degrade the off-air reception caused by the operation of DTV channel 2. DTV channel 33 can be allotted to Butte, Montana, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (46-00-27 N. and 112-26-30 W.). Since Butte is located within 400 kilometers of the U.S.-Canadian border, concurrence by the Canadian government has been obtained for this allotment. 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 KTVM(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>
MT Butte	33	1000	576	122

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.

Butte, Montana

15, 19c, 33

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Eagle Communications, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 33 in lieu of DTV Channel 2 for station KTVM(TV).

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