

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.)	
(Quartzsite, Arizona))	MM Docket No. 01-70
)	RM-10082
)	
(Leesville, Louisiana))	MM Docket No. 01-71
)	RM-10083

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 13, 2001

Released: June 22, 2001

By the Chief, Allocations Branch:

1. The Allocations Branch has before it a multiple docket Notice of Proposed Rule Making setting forth three separate proposals to allot an FM channel to a specific community. Two of those proposals are unopposed and the petitioners involved have filed comments in support of their proposals reaffirming their intentions to apply for the channels requested, if allotted. Each of those proposals, as modified by the staff, complies with all the Commission’s technical requirements. We continue to believe that each proposal would serve the public interest. Accordingly, we adopt those two proposals as modified by the staff.

2. This is a multiple docket proceeding initiated in response to a Commission Public Notice released October 2, 1998 (DA 98-1987). We are combining separate FM allotment proposals into a single Report and Order. Each proposal has its own docket and rule making number and the Commission’s Reference Center has maintained a separate file for each docket. As discussed in the Public Notice, this procedure will conserve Commission resources and expedite the processing of FM allotment petitions for rule making by avoiding duplicative actions. We discuss below the following proposals:

A. MM Docket No. 01-70; RM-10082

Action: McMullen Valley Broadcasting Company requested the allotment of Channel 297C3 at Quartzsite, Arizona, as that community's second local FM transmission service. In order to avoid conflict with our recent decision in MM Docket No. 00-166, we allot Channel 275C3 to Quartzsite, rather than Channel 297C3.¹

Coordinates: The reference coordinates for Channel 275C3 at Quartzsite are 33-39-50 North Latitude and 114-13-45 West Longitude.

Additional Information: This allotment is at city reference coordinates and does not require a site restriction.²

FCC Contact: R. Barthen Gorman (202) 418-2180

B. MM Docket No. 01-71; RM-10083

Action: At the request of Stargazer Broadcasting of Western Louisiana,³ we are allotting Channel 252A at Leesville, Louisiana, as that community's fourth local aural transmission service.

Coordinates: The reference coordinates for Channel 252A at Leesville are 31-08-30 North Latitude and 93-16-41 West Longitude.

Additional Information: This allotment requires a site restriction of 1.7 kilometers (1 mile) west of Leesville, in order to avoid a short-spacing to Station KKST, Channel 254C1, at Oakdale, Louisiana.

¹ Channels of the same class are considered to be equivalent.

² Although concurrence with the Mexican Government has been requested for the allotment of Channel 275C3 at Quartzsite, notification has not been received. Therefore, operation with the facilities specified for Quartzsite 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 or if specifically objected to by Mexico.

³ In its comments, the petitioner observes that the reference coordinates as stated in the original petition are different from the reference coordinates as published in the Notice. This is not unusual, since our engineering staff will change the proposed reference coordinates in order to assure that the coordinates describe a transmitter site which is the least restrictive site for future applications for the allotment, while preventing any short-spacings to existing stations and allotments.

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3. 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 August 6, 2001, 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:

<u>Community</u>	<u>Channel No.</u>
Quartzsite, Arizona	232A, 275C3
Leesville, Louisiana	224A, 228C3, 252A, 289C3

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

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

6. For further information concerning a specific docket, contact the FCC Contact listed above for that docket. Questions related to the window application filing process should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau