

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

In the Matter of )  
)  
Amendment of Section 73.202(b), ) MM Docket No. 00-54  
Table of Allotments, ) RM-9835  
FM Broadcast Stations. ) RM-9907  
(Mount Pleasant & Bogata, Texas) )

MEMORANDUM OPINION AND ORDER  
(Proceeding Terminated)

Adopted: March 28, 2001

Released: April 6, 2001

By the Chief, Allocations Branch:

1. The Allocations Branch has before it for consideration a Petition for Reconsideration filed by Bogata Broadcasting Company (“BBC”), requesting rescission of the Channel 263A allotment at Bogata, Texas, allotted in the Report and Order in this proceeding, 15 FCC Rcd 25565 (2000).<sup>1</sup> Also before us is a joint request for approval of a settlement agreement filed by BBC and Inspiration Media of Texas, Inc. (“Inspiration”). As requested, we shall grant BBC’s Petition for Reconsideration and the settlement agreement.

2. **Background.** In response to a Petition for Rule making filed by Leo Ashcraft (“Ashcraft”), the Commission issued a Notice of Proposed Rule Making (“Notice”) proposing the allotment of Channel 263A at Mount Pleasant, Texas. In response to the Notice, BBC filed a counterproposal requesting the allotment of Channel 263A at Bogata, Texas. Channel 263A was allotted to Bogata as no timely comments were received supporting an allotment at Mount Pleasant.

3. **Petition for Reconsideration and Settlement Agreement.** On December 12, 2000, BBC filed a Petition for Reconsideration requesting that the allotment of Channel 263A at Bogata, Texas, be rescinded. BBC states that it withdraws its expression of interest in the allotment of Channel 263A at Bogata so that the channel is available for allotment to another community. This action will also allow Inspiration, proposed assignee of an unbuilt permit for Channel 264C, Highland Village, Texas, to make technical improvements to the facility at Highland Village. In accordance with Section 1.420(j) of the Commission’s Rules, BBC filed an affidavit stating that the monies received for withdrawal of its interest in Channel 263A at Bogata from Inspitation do not exceed its reasonable and prudent expenses incurred for the preparation and filing of its counterproposal in this proceeding.

<sup>1</sup> Public Notice of the Petition for Reconsideration was given on February 20, 2001, Report No. 2466. No comments were received in response to the Public Notice.

4. Accordingly, IT IS ORDERED, That the aforementioned Petition for Reconsideration filed by Bogata Broadcasting Company IS GRANTED, and the Settlement Agreement IS APPROVED.
5. 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 May 21, 2001, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED by removing Channel 263A and Bogata, Texas.
6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.
7. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

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