

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

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 01-28
Table of Allotments,)	RM-10043
Digital Television Broadcast Stations.)	
(Albuquerque, New Mexico))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: April 18, 2001

Released: April 23, 2001

By the Chief, Video Services Division:

1. At the request of The Board of Regents of the University of New Mexico and the Board of Education of the City of Albuquerque, New Mexico ("the Board"), licensee of noncommercial educational station KNME-TV, NTSC channel *5, Albuquerque, New Mexico, the Commission has before it the Notice of Proposed Rule Making, 66 FR 9061, February 6, 2001, proposing the substitution of DTV channel *35 for station KNME-TV's assigned DTV channel *25. The Board filed comments reiterating its expression of interest in applying for DTV channel *35, if allotted to Albuquerque, New Mexico. No other comments were filed.

2. We believe the public interest would be served by substituting DTV channel *35 for DTV channel *25 since it would permit station KNME-TV to eliminate potential adjacent channel interference. DTV channel *35 can be allotted to Albuquerque, New Mexico, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (35-12-44 N. and 106-26-57 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 KNME-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>
NM Albuquerque	*35	250	1289	762

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 June 7, 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:

<u>City</u>	<u>Channel No.</u>
Albuquerque, New Mexico	16, *17, 21, 24c, 26, *35, 42c, 51c

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, The Board of Regents of the University of New Mexico and the Board of Education of the City of Albuquerque, New Mexico, shall submit to the Commission a minor change application for a construction permit (FCC Form 340) specifying DTV Channel *35 in lieu of DTV Channel *25 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