

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

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 01-313
Table of Allotments,)	RM-10251
Digital Television Broadcast Stations.)	
(Tulsa, Oklahoma))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 8, 2002

Released: February 14, 2002

By the Chief, Video Services Division:

1. At the request of KTUL, LLC ("KTUL"), licensee of station KTUL-TV, NTSC channel 8, Tulsa, Oklahoma, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 19450 (2001), proposing the substitution of DTV channel 10 for station KTUL-TV's assigned DTV channel 58. KTUL filed comments stating its continued interest in the channel substitution proposal. Ft. Smith 46, Inc., licensee of Class A station KFDF-CA, channel 10, Fort Smith, Arkansas, filed comments.¹

2. We believe the public interest would be served by adopting KTUL's channel substitution proposal since it will permit station KTUL-TV to implement its DTV operation on an "in-core" channel, therefore, eliminating the need for KTUL to change channels at the end of the transition period. DTV 10 can be allotted to Tulsa, Oklahoma, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (35-58-08 N. and 95-36-59 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 KTUL-DT 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>
OK Tulsa	10	7	497	999

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 April 1, 2002, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect

¹ Although, Ft. Smith does not object to KTUL's proposal, it disagrees with KTUL's assertion that interference to KFDF-CA may be ignored altogether. FT. Smith maintains that KFDF-CA is entitled to the protection provided in Section 73.622(c)(5) of the Commission's Rules both in theory and in practice after-the-fact. Since KTUL has stated that such protection will be afforded, FT. Smith believes its proposal may be adopted.

to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Tulsa, Oklahoma	10, 22, *38, 42c, 48c, 49, 55, 56

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, KTUL, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 10 in lieu of DTV Channel 58 for station KTUL-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