

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

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 01-222
Table of Allotments,)	RM-10240
Digital Television Broadcast Stations.)	
(Charleston, South Carolina))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: March 1, 2002

Released: March 6, 2002

By the Chief, Video Services Division:

1. At the request of WCIV, LLC ("WCIV"), licensee of station WCIV(TV), NTSC channel 4, Charleston, South Carolina, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 16295 (2001), proposing the substitution of DTV channel 34 for station WCIV(TV)'s assigned DTV channel 53. WCIV filed comments supporting the channel substitution proposal. No other comments were received.

2. We believe the public interest would be served by adopting WCIV's channel change proposal since it would eliminate the need for station WCIV(TV) to change DTV channels at the end of the DTV transition period, thereby enabling the station to build-out earlier. DTV channel 34 can be allotted to Charleston, South Carolina, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates 32-55-28 N. and 79-41-58 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 WCIV-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>
SC Charleston	34	340	597	774

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 22, 2002, 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>
Charleston, South Carolina	34, 35, 40, *49, 52, 59 ¹

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, WCIV, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 34 in lieu of DTV Channel 53 for station WCIV(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

¹ We note that the Commission has issued two Notices of Proposed Rule Making, one proposing the substitution of DTV channel 47 for station WCSC-TV's assigned DTV channel 52 at Charleston; and, the other proposes the substitution of DTV channel 50 for station WCBD-TV's assigned DTV channel 59 at Charleston, South Carolina. See MM Docket No. 01-128, (DA 01-1456) and MM Docket No. 01-335, (DA 01-2867), respectively.