

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

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 03-86
FM Table of Allotments,)	RM-10685
FM Broadcast Stations.)	
(George West, Texas))	
)	
)	
)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: July 1, 2003

Released: July 3, 2003

By the Assistant Chief, Audio Division:

1. The Audio Division has before it a *Notice of Proposed Rulemaking*¹ issued at the request of Charles Crawford (“Crawford”) requesting the allotment of Channel 250A at George West, Texas. Crawford filed comments reiterating his interest in applying for Channel 250A at George West. Katherine Pyeatt (“Pyeatt”) filed a counterproposal in response to the *Notice*.²

2. We believe that the public interest would be served by the allotment of Channel 250A at George West, Texas, as it will provide the community with additional local broadcast service.³ As stated in the *Notice*, George West is an incorporated community with a population of over 2,500 people. George West has its own local government, post office, fire department, chamber of commerce and numerous churches that serve the community. Channel 250A can be allotted to George West, Texas, consistent with the minimum distance separation requirements of the Commission’s Rules with a site restriction 12 kilometers (7.4 miles) southwest of the community at coordinates 28-14-07 and 98-09-43. Although Mexican concurrence has been requested for the allotment of Channel 250A at George West, notification has not been received. Therefore, operation with the facilities specified for George West herein is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be

¹ See *George West, Texas*, 18 FCC Rcd 6218 (M.B. 2003).

² Pyeatt filed a counterproposal requesting the allotment of 245C3 at Christine, Texas, and the substitution of Channel 250A for vacant Channel 245C3 at Tilden, Texas. The counterproposal is unacceptable and will be dismissed. According to a staff engineering analysis, the proposed allotment of Channel 245C3 at Christine, Texas, at Pyeatt’s selected site (28-42-42 and 98-24-09) is short spaced to Channel 245C1, Station KIOX, El Campo, Texas. Counterproposals are required to be technically correct and substantially complete at the time they are filed. See *Broken Arrow and Bixby, Oklahoma, et al.*, 3 FCC Rcd 6507 (M.M. 1988), *recon. denied*, 4 FCC Rcd. 6981 (M.M. 1989).

³ The *Notice of Proposed Rule Making* in MB Docket No. 03-56, 18 FCC Rcd 4452 (M.B. 2003), proposes the deletion of Channel 265A at George West. Victoria Radio Works, Ltd., licensee of Station KEPG, Channel 265A, Victoria, Texas, has requested the substitution of Channel 265C3 for Channel 265A at Victoria and the deletion of Channel 265A at George West to accommodate the upgrade at Victoria.

necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement or if specifically objected to by Mexico.

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 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective, August 18, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, as follows:

Community

Channel

George West, Texas

228C3, 250A, 265A, 292A

4. A filing window for Channel 250A 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 counterproposal filed by Katherine Pyeatt proposing the allotment of Channel 245C3 at Christine, Texas, and the substitution of Channel 250A for Channel 245C3 at Tilden, Texas, IS DENIED.

6. For further information regarding the proceeding listed above, contact Kathleen Scheuerle, (202)418-2180.

7. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau