

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

In the Matter of )
)
Amendment of Section 73.606(b), ) MB Docket No. 03-224
Table of Allotments, ) RM-108011
Television Broadcast Stations; and )
Section 73.622(b), Table of Allotment )
Digital Television Broadcast Stations. )
(Knoxville, Tennessee) )

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 5, 2004

Released: February 12, 2004

By the Chief, Video Division:

1. At the request of Knoxville Channel 25, LLC ("KC25"), an applicant for a construction permit for a new television station at Knoxville, Tennessee, the Commission has before it the Notice of Proposed Rule Making, 18 FCC Rcd 22061 (2003), proposing the substitution of DTV channel 7 for vacate, but applied for, channel 26- at Knoxville, Tennessee. KC25 filed comments reaffirming its continuing interest in applying for DTV channel 7, if allotted.2

2. KC25 filed its petition for rule making pursuant to the provisions outlined in the Commission's Public Notice ("Public Notice") released on November 22, 1999, DA 99-2605.3 Due to a co-channel DTV allotment in Knoxville, KC25 advises that channel 26- was displaced. Consequently, KC25 requests the allotment of DTV channel 7 as the replacement for its displaced NTSC allotment.

3. We believe the public interest would be served by allotting DTV channel 7, since it will enable KC25 to provide a new DTV service to Knoxville. DTV channel 7 can be allotted to Knoxville, Tennessee, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 36-00-36 N. and 83-55-57 W. In addition, we find

1 In the Notice of Proposed Rule Making in this proceeding (DA 03-3345), released October 27, 2003, the rule making number was incorrectly identified. The correct rule making number is RM-10801.

2 SWMM Knoxville Corporation and Channel 26, Ltd. are parties to a universal settlement with KC25, and join this submission.

3 In that Public Notice, the Commission announced a window filing opportunity to allow persons with certain pending requests for new analog (NTSC) television stations to modify their request to eliminate technical conflicts with digital television (DTV) stations. See Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations.

that this channel is meets the engineering criteria of 73.623 (c)(2) with the following specifications:

<u>State &amp; City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
TN Knoxville	7	55	367	1048

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 March 29, 2004, the TV Table of Allotments, Section 73.606(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>
Knoxville, Tennessee	6, 8, 10+, *15, 43+

4. IT IS FURTHER ORDERED, That effective March 29, 2004, 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>
Knoxville, Tennessee	7, *17, 26, 30, 31, 34

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Knoxville Channel 25, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 7 in lieu of TV Channel 26.

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

7. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau