

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

In the Matter of)
)
 Amendment of Section 73.202(b),)
 FM Table of Allotments,)
 FM Broadcast Stations.)
 (Hawley and Munday, Texas)) MB Docket No. 04-408
) RM-11107

**REPORT AND ORDER
 (Proceeding Terminated)**

Adopted: August 24, 2005

Released: August 26, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making* (“*Notice*”)¹ issued at the request of Charles Crawford (“*Petitioner*”), seeking to amend the FM Table of Allotments by allotting Channel 269A at Hawley, Texas, as that community’s first local aural transmission service. To accommodate the proposed Hawley allotment, *Petitioner* proposes to modify the site for vacant Channel 260C1 at Munday, Texas. *Petitioner* filed comments in support of its proposal, pledging to file the necessary applications. No other comments or counterproposals were filed.

2. The public interest will be served by allotting Channel 269A to Hawley and modifying the site for Munday because it would provide the community with its first local aural transmission service. Hawley is a community for allotment purposes. It is incorporated and has a population of 646 persons, according to the 2000 U.S. Census. It has a mayor, independent school district, city offices, volunteer fire department, post office, churches, and numerous local businesses.

3. Channel 269A at Hawley can be allotted consistent with the minimum distance separation requirements of the Commission’s Rules at *Petitioner*’s requested site 9.8 kilometers (6.1 miles) southeast of the community.² The site for Channel 260C1 at Munday can be modified to a site 34 kilometers (21.1 miles) north of the community.³

4. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office Pursuant to the Congressional Review Act, *see* 5 U.S.C. §801(a)(1)(A).

5. Accordingly, pursuant to the authority contained in 47 U.S.C. §§ 4(i), 5(c)(1), 303(g), and (r), and 307(b), and 47 C.F.R. §§0.61, 0.204(b) and 0.283, IT IS ORDERED That effective October 11, 2005, the FM Table of Allotments, 47 C.F.R. § 73.202(b) IS AMENDED, with respect to the community listed below, as follows:

<u>City</u>	<u>Channel No.</u>
Hawley, Texas	269A

¹ *Hawley and Munday, Texas*, 19 FCC Rcd 22010 (2004).
 ² Coordinates for Channel 269A at Hawley are 32-32-30 NL and 99-45-00 WL.
 ³ Coordinates for Channel 260C1 at Munday are 33-44-53 NL and 99-42-14 WL.

6. A window period for filing applications for Channel 269A at Hawley 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.

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

8. For further information concerning this proceeding, contact Victoria M. McCauley, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
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Audio Division
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