

**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,)	
(Harper, Kansas, and)	RM-10692
Enid, Oklahoma), and)	
Reclassification of License of)	
Station KQOD-FM, Enid, Oklahoma)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: September 23, 2005

Released: September 26, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division issued an *Order to Show Cause* (“OSC”) in response to a petition for rule making filed by Cobra Communications, Inc. (“Cobra”).¹ Cobra had proposed to allot Channel 244A at Harper, Kansas, as that community’s first local service. In order to accommodate that allotment, Cobra proposed the reclassification of Station KQOD-FM, Channel 245C, Enid, Oklahoma, to specify operation on Channel 245C0. Because Station KQOD-FM was operating below minimum Class C standards, we required its licensee, Champlin Broadcasting, Inc. (“Champlin”), to show cause why the authorization for Station KQOD-FM should not be modified to specify operation on Channel 245C0 in lieu of Channel 245C at Enid, Oklahoma.

2. In response to the OSC, Champlin timely stated its intention to file an application to modify Station KQOD-FM’s facilities to operate at minimum Class C standards. Champlin filed an acceptable application for a construction permit within 180 days of the show cause comment date. For that reason, we find that Champlin has shown just cause why its authorization for Station KQOD-FM should not be modified to specify operation on Channel 245C0 in lieu of Channel 245C at Enid, Oklahoma.

3. Cobra’s proposal to allot Channel 244A at Harper, Kansas, would require that Channel 245C, Enid, Oklahoma, be downgraded to Channel 245C0, and that the authorization for Station KQOD-FM be modified to specify operation on Channel 245C0. Because Champlin, the licensee of Station KQOD-FM, has shown just cause why its authorization should not be so modified, we find that Cobra’s petition for rule making should be dismissed.

¹ *Reclassification of License of Station KMMZ-FM, Enid, Oklahoma*, 18 FCC Rcd 9282 (MB 2003). Since the issuance of the OSC, the call sign of Channel 245C at Enid, Oklahoma, has been changed from KMMZ-FM to KQOD-FM.

4. Accordingly, IT IS ORDERED, That the petition for rule making filed by Cobra Communications, Inc., proposing the allotment of Channel 244A at Harper, Kansas, IS DISMISSED.

5. IT IS FURTHER ORDERED, That the Secretary of the Commission shall send by Certified Mail Return Receipt Requested, a copy of this Report and Order to the following counsel of record:

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(Counsel for Cobra Communications, Inc.)

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

6. This document is not subject to the Congressional Review Act. The Commission, is, therefore, not required to submit a copy of this Report and Order to the Government Accountability Office, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because the petition for rule making was dismissed.

7. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau