

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

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MB Docket No. 04-274
Table of Allotments,	)	RM-11016
FM Broadcast Stations.	)	
(Port Isabel, Texas)	)	
	)	

**REPORT AND ORDER  
 (Proceeding Terminated)**

**Adopted: February 15, 2006**

**Released: February 17, 2006**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making*<sup>1</sup> issued in response to a petition for rule making filed by Dana J. Puopolo (Petitioner”), requesting the allotment of Channel 288A at Port Isabel, Texas, as the community’s second local service. Petitioner filed comments, stating his continuing interest in pursuing the allotment, and his intention to apply for a construction permit. No other comments or counterproposals were received.

2. We believe the public interest would be served by allotting Channel 288A at Port Isabel, Texas as a second local service. Channel 288A can be allotted to Port Isabel in compliance with the minimum distance separation requirements of the Commission’s rules at reference coordinates 25-59-25 North Latitude and 97-09-59 West Longitude provided there is a site restriction of 10.0 kilometers (6.3 miles) southeast of the community. Mexican concurrence has been obtained. 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. Section 801(a)(1)(A).

3. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective, April 3, 2006, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED for the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Port Isabel, Texas	266C2, <sup>2</sup> 288A

<sup>1</sup> See *Harrisonburg, Louisiana, et al.*, 19 FCC Rcd 13858 (MB 2005) (“*Notice*”) (This was a multiple docket *Notice* setting forth several separate proposals while the instant Report and Order pertains only to the docket specified above.).

<sup>2</sup> We are also amending the FM Table to reflect that Station KNVO-FM was granted a license (BLH-20011226AAP) for a one-step application (BPH-19990304IE) to upgrade from Channel 266A to Channel 266C2 at Port Isabel, Texas. This action constitutes an editorial change in the FM Table of Allotments. Therefore, we find for good cause that a public notice and comment proceeding is unnecessary. *See* 5 U.S.C. § 553(b)(A) and (B).

4. A filing window period for Channel 288A for Port Isabel, Texas 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 aforementioned proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Helen McLean, Media Bureau, (202) 418-2738.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau