

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

In the Matter of

Amendment of Section 73.202(b),)	
Table of Allotments,)	MB Docket No. 03-78
FM Broadcast Stations.)	RM-10684
(Bend and Prineville, Oregon))	
)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: March 1, 2006

Released: March 3, 2006

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it the *Notice of Proposed Rule Making* in this proceeding.¹ Combined Communications, Inc. filed Comments. No other comments were received. For the reasons discussed below, we are substituting Channel 253C1 for Channel 252C3 at Bend, Oregon, and are modifying the Station KTWS license to specify operation on Channel 253C1. To accommodate this upgrade, we are substituting Channel 271C3 for vacant Channel 255C3 at Prineville, Oregon.

2. As requested by Combined Communications, Inc., licensee of Station KTWS, Channel 252C3, Bend, Oregon, we are substituting Channel 253C1 for Channel 252C3 at Bend, Oregon, and are modifying the Station KTWS license to specify operation on Channel 253C1.² This will enable Station KTWS to serve an additional 29,709 persons. As a result of the site change necessary for this upgrade, 5,176 persons will lose service. However, the population losing service will continue to receive more than five aural services.³ To accommodate this upgrade, we are substituting Channel 271C3 for vacant Channel 255C3 at Prineville, Oregon.⁴

¹ *Bend and Prineville, Oregon*, 18 FCC Rcd 4957 (MB 2003).

² The reference coordinates for the Channel 253C1 allotment at Bend, Oregon, are 44-04-41 NL and 121-19-57 WL.

³ The Commission has considered five or more reception services to be "abundant." *Family Broadcasting Group*, 53 RR 2d 662 (Rev. Bd. 1983), *rev. denied* FCC 83-559; *see also LaGrange and Rollingwood, Texas*, 10 FCC Rcd 3337 (1995).

⁴ The reference coordinates for the Channel 271C3 allotment at Prineville, Oregon, are 44-20-36 NL and 120-44-06 WL. At the time Combined Communications, Inc. filed its Petition for Rule Making in this proceeding, the Channel 255C3 allotment at Prineville was vacant. World Radio Link, Inc. is now the permittee of this allotment (File No. BNPH-20050103ABA). The construction permit was conditioned on the outcome of this proceeding. Accordingly, we are modifying the construction permit to specify operation on Channel 271C3 and the permittee will be required to file the appropriate application to modify its construction permit consistent with this docket.

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

4. Accordingly, pursuant to 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, 204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective April 17, 2006, the Table of FM Allotments, Section 73.202(b) of the Commission's rules, IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Bend, Oregon	231C, 248C1, 253C1, 259C2, 264C1, 289C1
Prineville, Oregon	236C1, 271C3

5. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the license of Combined Communications, Inc. for Station KTWS-FM, Channel 252C3, Bend, Oregon, IS MODIFIED to specify operation on Channel 253C1, subject to the following conditions:

- (a) Within 90 days of the effective date of this *Order*, the licensee shall file a minor change application for construction permit (FCC Form 301) specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;
- (c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

6. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the construction permit of World Radio Link, Inc. on Channel 255C3 at Prineville, Oregon, (File No. BNPH-20050103ABA), IS MODIFIED to specify operation on Channel 271C3, subject to the following conditions:

- (a) Within 90 days of the effective date of this *Order*, the permittee shall file a minor change application for construction permit (FCC Form 301) specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's rules;
- (c) Nothing contained herein shall be construed to authorize a change in transmitter site or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's rules, unless the proposed facilities are categorically excluded from environmental processing.

7. Pursuant to Sections 1.1104(1)(k) and (2)(k) of the Commission's rules, any party seeking a change in community of license of an FM or television allotment or an upgrade of an existing FM allotment, if the request is granted, must submit a rulemaking fee when filing the application to

implement the change in community of license and/or upgrade. As a result of this proceeding, Combined Communications, Inc. is required to submit a rulemaking fee in addition to the fee required for the application to affect the upgrade.

8. IT IS FURTHER ORDERED, That the Secretary shall send a copy of this *Report and Order* BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to:

World Radio Link, Inc.
P.O. Box 5429
Twin Falls, Idaho 83303

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

10. For further information concerning this proceeding, contact Robert Hayne, Media Bureau, (202) 418-2177.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau