

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

In re Request of )  
 )  
Broadcasting Board of Governors )  
United States of America )  
 )  
For Modification of Authorization )

**MEMORANDUM OPINION AND ORDER**

**Adopted: March 28, 2006**

**Released: March 28, 2006**

By the Chief, International Bureau:

1. This Order addresses a request by the Broadcasting Board of Governors (BBG) that the Commission amend the authorization for TV Marti to operate Channel 18 facilities with technical parameters at variance from those that the Commission originally authorized.<sup>1</sup> The Commission originally granted to the United States Information Agency (USIA) authorization to use Channel 18 for TV Marti facilities to broadcast television programming to Cuba.<sup>2</sup> Thereafter, BBG became responsible for TV Marti.<sup>3</sup> BBG now requests that the Commission grant Special Temporary Authority (STA) to operate facilities at variance on TV Marti Channel 18 on March 28, 2006 from the hours of 1700-2300 EST. As discussed below, we grant the request, subject to conditions to ensure the new TV Marti facilities do not cause harmful interference to Commission licensees.

2. Consistent with the Commission's previous order, we have evaluated BBG's request for an STA to allow operations at variance on TV Marti Channel 18 on March 28, 2006 from the hours of 1700-2300 EST and find that BBG's operations comply with the *Modification Order*. In accordance with the Television Broadcasting to Cuba Act,<sup>4</sup> and in recognition of the foreign policy interests noted by BBG, we grant BBG's request and allow TV Marti to continue to operate Channel 18 facilities with technical parameters at variance from those the Commission previously authorized. This authorization is for March 28, 2006, from the hours of 1700-2300 EST and is subject to the same conditions enumerated in the *Modification Order*.

<sup>1</sup> Letter from Kenneth Y. Tomlinson, Chairman, Broadcasting Board of Governors, United States of America, to Kevin J. Martin, Chairman, Federal Communications Commission, dated March 1, 2006 (BBG letter).

<sup>2</sup> *Request of United States Information Agency*, 6 FCC Rcd 1714 (1991), as modified by Letter of Roy J. Stewart, Chief, Mass Media Bureau, to Joe Bruns, Acting Director, Voice of America, dated July 26, 1993, and 10 FCC Rcd 4514 (1995) (*Request of USIA*).

<sup>3</sup> See *Request of the United States Department of State for Modification of Authorization*, Memorandum Opinion and Order, 19 FCC Rcd 16259, 16259 n 1 (2004).

<sup>4</sup> 22 U.S.C. § 1465bb(d)(1). Television Broadcasting to Cuba Act, in Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, Part D of Title II, Pub. L. No. 101-246 Stat. 58, Section 242(3).

3. As this change to the TV Marti authorization carries out the mandate of the Television Broadcasting to Cuba Act and reflects foreign policy determinations made by Congress and the President of the United States, we find for good cause that public notice and comment thereon is unnecessary.<sup>5</sup>

4. Accordingly, IT IS ORDERED that TV Marti may operate Channel 18 television facilities with technical parameters at variance from those previously authorized by the Commission. Such operations shall be permitted for the date of March 28, 2006 from the hours of 1700-2300 EST.

5. IT IS FURTHER ORDERED that TV Marti's operations on Channel 18 be on a non-interference basis and that such operations must cease if the Commission determines that they are causing harmful interference to any lawfully operating Commission licensee.

6. IT IS FURTHER ORDERED that this Order shall be effective immediately upon release.

FEDERAL COMMUNICATIONS COMMISSION

Donald Abelson  
Chief  
International Bureau

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<sup>5</sup> See 5 U.S.C. § 553(a) (1), (b) (3) (B).