

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

In the Matter of)	
)	
)	
Amendment of Section 73.622(i),)	MB Docket No. 08-126
Final DTV Table of Allotments,)	RM-11458
Television Broadcast Stations.)	
(Canton, Ohio))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: May 28, 2009

Released: May 29, 2009

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking¹ issued in response to a petition for rulemaking filed by Trinity Christian Center of Santa Ana, Inc. d/b/a Trinity Broadcasting Network (“Trinity”), the licensee of station WDLI-DT, DTV channel 39, Canton, Ohio. Trinity has requested the substitution of DTV channel 49 for its assigned post-transition DTV channel 39 at Canton. Trinity filed comments. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel 49 for post-transition DTV channel 39. The channel substitution will permit the station to reach a larger DTV service area than is possible at its current allotment.

3. DTV channel 49 can be substituted for DTV channel 39 at Canton, Ohio, as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission’s rules, at coordinates 41-03-20 N. and 81-35-38 W. Since the proposed facility is located within the Canadian coordination zone, concurrence from the Canadian government has been obtained for this allotment. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616, 73.622(f)(5) and 73.623 of the Commission’s rules with the following specifications:²

City and State	DTV Channel	DTV Power (kW)	Antenna HAAT (meters)	DTV Service Pop. (thous.)
Canton, Ohio	49	900	292	4084

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to Section 553(d)(3) of the Administrative Procedures Act.³ An expedited effective date is necessary in this case to ensure that station WDLI-DT can provide improved service to the market as quickly as possible.

¹ *Canton, Ohio*, 23 FCC Rcd 17846 (Vid. Div. 2008).

² 47 C.F.R. §§ 73.616, 73.622(f)(5) and 73.623.

³ 5 U.S.C. § 553(d)(3).

5. Accordingly, pursuant to the 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, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective immediately upon the date of publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Canton, Ohio	47, 49

6. IT IS FURTHER ORDERED, That within 30 days of the effective date of this Order, Trinity Christian Center of Santa Ana, Inc. d/b/a Trinity Broadcasting Network, shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV channel 49 in lieu of post-transition DTV channel 39.

7. 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).

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

9. For further information concerning the proceeding listed above, contact David J. Brown, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau