

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

In the Matter of)	
)	
)	
Amendment of Section 73.622(i),)	MB Docket No. 09-71
Final DTV Table of Allotments,)	RM-11533
Television Broadcast Stations)	
(St. Paul, Minnesota))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: June 30, 2009

Released: July 1, 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 Twin Cities Public Television, Inc. (“Twin Cities”), the permittee of KTCI-TV, post-transition digital channel *26, St. Paul, Minnesota, requesting the substitution of DTV channel *23 for channel *26 at St. Paul.² Twin Cities and Duluth-Superior Area Educational Television Corporation, the licensee of noncommercial educational television station WDSE-DT, Duluth, Minnesota, filed comments in support of the proposal.

2. We believe the public interest would be served by substituting DTV channel *23 for DTV channel *26. KTCI-TV’s planned operation on channel *26 would be limited to an ERP of less than 50 kW, compared with other UHF stations that are operating with power approaching 1000 kW. The requested channel substitution will result in a substantial improvement in KTCI-TV’s predicted coverage.

3. DTV channel *23 can be substituted for DTV channel *26 at St. Paul, Minnesota as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission’s rules, at the coordinates 45-03-30 N. and 93-07-27 W. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission’s rules with the following specifications:

City and State	DTV Channel	DTV Power (kW)	Antenna HAAT (meters)	DTV Service Pop. (thous.)
St. Paul, Minnesota	*23	700	412.0	3380

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

¹ *St. Paul, Minnesota*, DA 09-1125 (released May 22, 2009).

² Twin Cities is presently operating KTCI-DT’s authorized pre-transition digital channel *16 facility pursuant to Special Temporary Authority (“STA”). See File No. BDSTA-20080818ABZ.

Act,³ in light of the fact that Twin Cities' STA to operate on its pre-transition digital channel expires on August 18, 2009.

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>
St. Paul, Minnesota	*23, *34, 35

6. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Twin Cities Public Television, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 340) specifying DTV channel *23 in lieu of DTV channel *26.

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 Joyce L. Bernstein, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau

³ 5 U.S.C. § 553(d)(3).