

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

In the Matter of )

Amendment of Section 73.622(i), ) MB Docket No. 09-196  
Post-Transition Table of DTV Allotments, ) RM-11578  
Television Broadcast Stations. )  
(High Point, North Carolina) )  
)

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: December 14, 2009**

**Released: December 15, 2009**

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a petition for rulemaking filed by Community Television of North Carolina, LLC (“CTNC”), the licensee of WGHP(TV), channel 8, High Point, North Carolina. CTNC requests the substitution of channel 35 for channel 8 at High Point. CTNC filed comments reaffirming its interest in the proposed channel substitution. No other comments were received.

2. We believe the public interest would be served by substituting channel 35 for channel 8 at High Point. Prior to June 12, 2009, CTNC operated on analog channel 8 and pre-transition digital channel 35. According to CTNC, following its termination of analog television service on June 12, 2009, and commencement of digital operations on channel 8, “a sizeable number of the Station’s viewers no longer could receive the Station’s over-the-air signal.”<sup>2</sup> CTNC was granted Special Temporary Authority to operate on channels 8 and 35,<sup>3</sup> and “[a]fter analyzing the situation, reviewing field test results, and monitoring service for the past months, [it] has concluded that viewers best would be served by the Station operating on the UHF channel rather than the VHF channel . . .”<sup>4</sup>

3. Channel 35 can be substituted for channel 8 at High Point, North Carolina, as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission’s

<sup>1</sup> *High Point, North Carolina*, DA 09-2339 (released October 29, 2009).

<sup>2</sup> *CTNC Petition for Rulemaking* at 2.

<sup>3</sup> File No. BDSTA-20090617ADU.

<sup>4</sup> *CTNC Petition* at 2.

rules,<sup>5</sup> at coordinates 35-48-46 N. and 79-50-29 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<sup>6</sup> with the following specifications:

City and State	Channel	Power (kW)	Antenna (meters)	Service Pop. (thous.)
High Point, North Carolina	35	1000	365	2770

4. 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 30 days after the date of publication of this Report and Order in the Federal Register, the Post-Transition Table of DTV 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>
High Point, North Carolina	35

5. IT IS FURTHER ORDERED, That within 30 days of the effective date of this Order, Community Television of North Carolina, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying channel 35 in lieu of channel 8 at High Point, North Carolina.

6. 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).

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

8. 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

<sup>5</sup> 47 C.F.R. § 73.625(a).

<sup>6</sup> 47 C.F.R. §§ 73.616 and 73.623.