

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MB Docket No. 09-180
Table of Allotments,)	RM-11569
FM Broadcast Stations.)	RM-11570
(Kingsland, Texas))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: June 25, 2010

Released: June 28, 2010

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division considers herein the *Notice of Proposed Rule Making* (“*Notice*”),¹ issued at the request of Munbilla Broadcasting Properties, Ltd. (“MBPL”) and Katherine Pyeatt (“Pyeatt”) (collectively, “Petitioners”), proposing the allotment of Channel 284A at Kingsland, as its first local FM transmission service. Pyeatt filed comments. No counterproposals or other comments were received in response to this *Notice*. For the reasons discussed below, we are amending the FM Table of Allotments, Section 73.202(b) of the Commission’s Rules,² by allotting Channel 284A at Kingsland.

2. **Background.** The *Notice* proposed the allotment of Channel 284A at Kingsland, as its first local service. As stated in the *Notice*, Kingsland is a Census Designated Place in Llano County, Texas, with a population of 4,584 persons. Kingsland has its own zip code and post office, a local volunteer fire department, a Chamber of Commerce, numerous businesses, several churches, and civic organizations such as a Masonic Lodge and Lions Club. In addition, police protection, utility services, and a branch library are provided by Llano County.

3. **Discussion.** Accordingly, we are allotting Channel 284A at Kingsland, as its first local service. Channel 284A can be allotted to Kingsland in compliance with the Commission’s minimum distance separation requirements with a site restriction of 3.5 kilometers (2.2 miles) west of the community.³ The reference coordinates for Channel 284A at Kingsland are 30-40-03 NL and 98-28-29 WL.

4. Kingsland is located within 320 kilometers (199 miles) of the U.S.-Mexican border. Although concurrence has been requested for Channel 284A at Kingsland, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: “Operation with the

¹ See *Kingsland, Texas*, Notice of Proposed Rule Making, 24 FCC Rcd 15 (MB 2009).

² 47 C.F.R. § 73.202(b).

³ There is an apparent short-spacing between Channel 284A at Kingsland and the licensed facilities for Station KXBT(FM), Channel 285A, Dripping Springs, Texas. However, the assignment for Station KXBT(FM) was modified to specify operation on Channel 285A at Bee Cave, Texas, in a construction permit (File No. BPH-20070119AER) granted on May 21, 2007. That authorization was further modified by a construction permit (File No. BMPH-20080707ADE) granted on October 8, 2008.

facilities specified for Kingsland herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement.”

5. 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).

6. **Ordering clauses.** Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective August 12, 2010, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Communities</u>	<u>Channel No.</u>
Kingsland, Texas	284A

7. The window period for filing applications for Channel 284A at Kingsland will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

8. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

9. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
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