

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
Table of Allotments,)	MB Docket No. 09-187
FM Broadcast Stations.)	RM-11576
(Buffalo and Centerville, Texas))	
)	
)	
)	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 17, 2010

Released: February 19, 2010

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it: (1) a *Notice of Proposed Rule Making*¹ issued at the request of Katherine Pyeatt (“Petitioner”), the permittee of Station KKLB(FM), Channel 267A, Madisonville, Texas;² and (2) Comments filed by the Petitioner. No other comments were received. For the reasons discussed below, we will grant the rulemaking petition.

2. **Background.** In response to the Petitioner’s rulemaking petition, the *NPRM* proposed the substitution of FM Channel 278A for vacant Channel 299A at Buffalo, Texas, and the substitution of Channel 267A for vacant Channel 278A at Centerville, Texas. These proposed channel changes were filed as part of a hybrid application and rulemaking proposal.³ The Application proposes the substitution of Channel 299A for Channel 267A at Madisonville, Texas, and the associated modification of the construction permit for Station KKLB(FM). The modification of the Madisonville construction permit is contingent upon the requested channel substitutions at Buffalo and Centerville.

3. In its Comments, the Petitioner continues to request that the Commission substitute the proposed channels at Buffalo and Centerville. The Petitioner contends that the two vacant channel substitutions will allow Station KKLB(FM) to move from Channel 267A to Channel 299A at a tower site located closer to its community of license, Madisonville. Thus, asserts the Petitioner, this hybrid proposal as a whole serves the public interest.

¹ *Buffalo and Centerville, Texas*, Notice of Proposed Rule Making, 24 FCC Rcd 12641 (MB 2009) (“*NPRM*”).

² The construction permit for Station KKLB(FM) was assigned from the Petitioner to Robert Clint Crawford d/b/a Southwest Radio Broadcasting, pursuant to an application (File No. BAPH-20091112AAU), which was granted on December 28, 2009. The sale was consummated on December 29, 2009.

³ See File No. BMPH-20090831ADM (the “Application”).

4. **Discussion.** We believe that the public interest would be served by the substitution of FM Channel 278A for vacant Channel 299A at Buffalo and the substitution of Channel 267A for vacant Channel 278A at Centerville. These channel substitutions will accommodate the grant of the Petitioner's application, enabling Station KKLB(FM) to change channels at a tower site located closer to its community of license. Channel 278A can be allotted at Buffalo, with a change of reference coordinates, at a site located 13.6 kilometers (8.5 miles) southeast of the community.⁴ Likewise, Channel 267A can be allotted at Centerville, with a change of reference coordinates, at a site located 11.1 kilometers (6.9 miles) west of Centerville.⁵

5. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 47 C.F.R. Sections 0.61, 0.204(b), and 0.283, IT IS ORDERED, That effective April 5, 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>Community</u>	<u>Channel No.</u>
Buffalo, Texas	278A
Centerville, Texas	274A, 267A

6. IT IS FURTHER ORDERED, That the rulemaking petition (RM-11576) IS GRANTED.

7. IT IS FURTHER ORDERED, That the application, File No. BMPH-20090831ADM, IS GRANTED.

8. A copy of this *Report and Order* will be sent to Katherine Pyeatt, 2215 Cedar Springs Rd., #1605, Dallas, Texas 75201(Petitioner); and Robert Clint Crawford d/b/a Southwest Radio Broadcasting, 1702 Cypress, Irving, Texas 75061 (Assignee of Station KKLB(FM)).

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

10. For further information concerning this proceeding, contact Andrew J. Rhodes, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau

⁴ The reference coordinates for Channel 278A at Buffalo, Texas, are 31-21-09 NL and 95-59-47 WL.

⁵ The reference coordinates for Channel 267A at Centerville, Texas, are 31-14-17 NL and 96-05-34 WL.