

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MB Docket No. 16-74
Table of Allotments,)	RM-11763
FM Broadcast Stations.)	
(Raymond, Washington))	
)	
)	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 17, 2016

Released: June 17, 2016

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making*,¹ issued in response to a Petition for Rule Making (Petition) filed by Sunnylands Broadcasting, LLC (Petitioner) to allot Channel 300A at Raymond, Washington. Petitioner filed comments. No counterproposals or other comments were received in response to the *Notice*. For the reasons discussed below, we amend the FM Table of Allotments, section 73.202(b) of the Commission's rules,²² by allotting Channel 300A at Raymond, Washington.

2. **Background.** The *Notice* proposed the allotment of 300A at Raymond, Washington, as a second local service.³ Raymond is a census designated place with a 2010 U.S. Census population of 2,882 persons. Petitioner filed comments, reiterating its expression of interest in Channel 300A at Raymond, Washington. Petitioner states that if the frequency is allotted, it will prosecute its application; participate in any FM auction for the Raymond, Washington, allotment; and if it is the winning bidder, promptly construct the facilities authorized.⁴

3. **Discussion.** We find that the public interest would be served by allotting a second local service at Raymond, Washington, under Priority (4).⁵ A staff engineering analysis indicates that Channel 300A can be allotted consistent with the minimum distance separation requirements of the Commission's rules with a site restriction located 4.7 kilometers (3.0 miles) southwest of the community. The reference coordinates are 46-38-49 NL and 123-45-11 WL. Canadian concurrence of the allotment is required

¹ *Raymond, Washington*, Notice of Proposed Rule Making, 31 FCC Rcd 2121 (Aud. Div. 2014) (*Notice*).

² 47 C.F.R. § 73.202(b).

³ Station KJET(FM) is currently licensed at Raymond. The proposed change of community of license for station KBSG(FM), File No. BPED-20160112ABE, from Westport, Washington, to Raymond, Washington, was dismissed on May 17, 2016. Therefore, Channel 300A will be the second local service at Raymond.

⁴ Petition at 1 (filed Aug. 24, 2015); Petitioner Comments at 1 (filed Mar. 29, 2016).

⁵ The FM allotment priorities are: (1) First fulltime aural service; (2) Second fulltime aural service; (3) First local service; and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3). See *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982).

because the proposed allotment is located within 320 kilometers (199 miles) of the U.S.-Canadian border. Although Canadian concurrence has been requested, notification has not been received. If a construction permit for Channel 300A at Raymond, Washington, is granted prior to receipt of formal concurrence by the Canadian government, the authorization will include the following condition: "Operation with the facilities specified herein for Raymond, Washington, 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 Canada-United States FM Broadcast Agreement, or if specifically objected to by Industry Canada."

4. **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 1, 2016, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Raymond, Washington	300A

5. The window period for filing applications for Channel 300A at Raymond, Washington, will not be opened at this time. Instead, the issue of opening a filing window for this allotment will be addressed by the Commission in a subsequent order.

6. The Commission will send a copy of this *Report and Order* in a report 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 this proceeding, contact Adrienne Y. Denysyk, Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

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