

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

In the Matter of )  
 )  
Third Periodic Review of the ) MB Docket No. 07-91  
Commission’s Rules and Policies )  
Affecting the Conversion )  
To Digital Television )

**ORDER OF DISMISSAL**

**Adopted: May 3, 2017**

**Released: May 3, 2017**

By the Chief, Media Bureau:

1. Pursuant to the Auction Reform Act of 2002 and Deficit Reduction Act of 2005,<sup>1</sup> the Commission adopted an Order in the above-captioned docket to facilitate the conversion of the nation's broadcast television system from analog to digital television.<sup>2</sup> Withers Broadcasting Company of West Virginia (WBC) filed a petition seeking reconsideration of the adoption of aspects of this Order.<sup>3</sup> Due to the passage of time, and with no objections put forth by petitioners,<sup>4</sup> we dismiss the petition without prejudice.

2. Accordingly, IT IS ORDERED that the Petition for Reconsideration filed by Withers Broadcasting Company of West Virginia IS DISMISSED without prejudice, and that the proceedings in MB Docket No. 07-91 ARE TERMINATED, and the docket is closed.

3. This action is taken pursuant to authority delegated by sections 0.283 and 1.429(l) of the Commission’s rules. 47 C.F.R. §§ 0.283, 1.429(l).

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey  
Acting Chief  
Media Bureau

<sup>1</sup> Auction Reform Act of 2002, Pub. L. No. 107-195, 116 Stat. 715, 47 U.S.C. § 337 note; Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120 Stat. 4 (2006). Title III of the Deficit Reduction Act of 2005 is the DTV Act (DTV Act). The DTV Act is codified at 47 U.S.C. §§ 309(j)(14)(A) and 337(e).

<sup>2</sup> See *Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion To Digital Television*, MB Docket No. 07-91, Report and Order, 23 FCC Rcd 2994 (2007).

<sup>3</sup> See Petition for Reconsideration of WBC, MB Docket No. 07-91 (filed February 28, 2008), <https://ecfsapi.fcc.gov/file/6519853661.pdf>.

<sup>4</sup> See Letter from Dawn M. Sciarrino and Chirstine McLaughlin, Counsel to WBC, to Marlene Dortch, Secretary, FCC, MB Docket No. 07-91 (April 24, 2017).