

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

In the Matter of
Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.
(Cora, Wyoming)
MB Docket No. 17-196
RM-11794

REPORT AND ORDER
(Proceeding Terminated)

Adopted: April 12, 2018

Released: April 13, 2018

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a Notice of Proposed Rule Making, issued in response to a Petition for Rule Making (Petition) filed by Wind River Broadcasting, Inc. (Petitioner) proposing to allot Channel 274C2 at Cora, Wyoming. Petitioner filed comments reiterating its expression of interest in the allotment. 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, by allotting Channel 274C2 at Cora, Wyoming.

2. Background. The Notice proposed the allotment of Channel 274C2 at Cora, Wyoming, as a first local service. Cora is a census designated place (CDP) with a 2010 U.S. Census population of 142 persons and its own Zip Code (82925). Petitioner states that Cora is deserving of a first local service as the community is currently underserved by existing media outlets and is not near any urbanized areas. Petitioner also explains that the allotment will allow for greater diversity of media outlets to the

1 Cora, Wyoming, Notice of Proposed Rule Making, 32 FCC Rcd 5789 (MB 2017) (Notice).

2 In compliance with Commission Procedures, Petitioner filed an accompanying FCC Form 301 application and paid the necessary filing fees. Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services, Report and Order, 21 FCC Rcd 14212, 14223, para. 18 (2006); File No. BNPB-20170519ABM.

3 Petitioner filed Comments on September 21, 2017 (Comments).

4 47 CFR § 73.202(b).

5 Revision of FM Assignment Policies and Procedures, Second Report and Order, 90 FCC 2d 88, 101, paras. 33-34 (1982) (Revision of FM Allotment Policies).

6 United States Census Bureau, American Fact Finder, searchable at http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml# (last visited Jan. 3, 2017).

7 In its Comments, Petitioner expands on the notion that Cora, Wyoming, is a community for allotment purpose by stating that Cora is a community with over 20 local businesses. Comments at 1.

8 Id. When the community proposed is located in an urbanized area or could, through a minor modification application, cover more than 50 percent of an urbanized area, we will treat the application, for Section 307(b)

(continued....)

area. Petitioner states that, if the channel is allotted, it will apply for the allotment and, if authorized to, promptly construct the facility.⁹

3. **Discussion.** We find that the public interest would be served by allotting a first local service at Cora, Wyoming, under Priority (3).¹⁰ A staff engineering analysis indicates that Channel 274C2 at Cora can be allotted consistent with the minimum distance separation requirements of the Commission's rules without a site restriction. The reference coordinates are 43-03-24 NL and 110-08-07 WL.

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, May 28, 2018, 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>
Cora, Wyoming	274C2

6. The window period for filing applications for 274C2 at Cora, Wyoming, 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.

7. 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).

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

10. For further information concerning this proceeding, contact Adrienne Y. Denysyk, Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

Nazifa Sawez
Assistant Chief
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Media Bureau

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purposes, as proposing service to the entire urbanized area rather than the named community of license. *Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures*, Second Report and Order, First Order On Reconsideration, and Second Further Notice of Proposed Rule Making, 26 FCC Rcd 2556, 2567, para. 20 (2011).

⁹ *Id.*

¹⁰ 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). *Revision of FM Allotment Policies*, 90 FCC 2d at 91-93, paras. 7-13.