

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

In the Matter of)
)
Amendment of section 73.202(b),)
FM Table of Allotments,)
FM Broadcast Stations.)
(Various Locations))

ORDER

Adopted: September 5, 2019

Released: September 6, 2019

By the Assistant Chief, Audio Division, Media Bureau:

1. This *Order* updates the FM Table of Allotments (“FM Table”)¹ to reinstate certain vacant FM allotments. The attached Appendix shows the FM Table, as amended, for those communities.

2. Formerly, the FM Table listed all vacant FM allotments as well as FM channels and communities occupied by authorized facilities.² In 2006, the Commission removed the allotments of authorized and awarded FM facilities from the FM Table in order to accommodate the new application procedures for radio stations to change their communities of license.³ As contemplated by the *Changes of Community R&O*, when an authorization is cancelled, the vacant FM channel needs to be reinstated in the FM Table in order to be protected for spacing purposes and preserve the opportunity to license a future station in the specified community.⁴ The allotments listed in the attached Appendix were removed from the FM Table because a construction permit and/or license was granted. These FM allotments are considered vacant because of the cancellation of the associated authorizations or the dismissal of long-form auction applications. We are, therefore, reinstating the allotments set forth in the Appendix. On a going-forward basis, we will periodically issue *Orders* to update the FM Table reinstating allotments that have become vacant due to the cancellation of an authorization or license.

¹ 47 CFR § 73.202(b).

² See *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, 14221, ¶ 15 (2006), *recon. pending* (“*Changes of Community R&O*”).

³ *Id.*

⁴ Staff engineering analysis confirms that all of the vacant allotments listed in the Appendix meet the minimum distance separation requirements of 47 CFR § 73.207. However, four of the vacant allotments warrant additional explanation. Vacant Channels 221A at Hamilton, Alabama, and 247A at Orange, Massachusetts, are considered fully spaced allotments notwithstanding the subsequent grant of authorization to several stations that are providing contour protection to these allotments under § 73.215 of the Commission’s rules. Channel 300B at Sacramento, California, is 28 km short-spaced to Station KSAN(FM), Channel 299B, San Mateo, California (pre 1964 grandfathered short-spacing), and 24 km short-spaced to Station KKLC(FM), Channel 300C1, Fall River, California (KKLC(FM) protects Sacramento consistent with the requirements of 47 CFR § 73.215(e)). Additionally, vacant Channel 299C3 at Bagdad, Arizona, is 2 km short-spaced to Station KVGS(FM), Channel 300C, Meadview, Arizona (KVGS(FM) protects Bagdad consistent with the requirements of 47 CFR § 73.215(e)).

3. The vacant FM allotments listed in the Appendix have previously undergone notice and comment rule making. Reinstatement of the vacant allotments is merely a ministerial action to effectuate licensing procedures adopted in the *Changes of Community R&O*. Therefore, we find for good cause that further notice and comment are unnecessary.⁵

4. The Commission will not send a copy of this *Order* pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A), because these allotments were previously reported.

5. **Ordering Clauses.** Accordingly, IT IS ORDERED, that upon publication in the Federal Register, the FM Table of Allotments, 47 CFR § 73.202(b), IS AMENDED, in accordance with the changes set forth in the Appendix to this Order.

6. For further information regarding a proceeding listed above, contact Rolanda F. Smith, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

Nazifa Sawez
Assistant Chief
Audio Division
Media Bureau

Appendix

⁵ *See* 5 U.S.C. § 553(b)(B).

APPENDIX

Community	Channel Deleted	Channel Added
Hamilton, Alabama		221A
Aguila, Arizona		297C2
Bagdad, Arizona	269C3	299C3
Sacramento, California ⁶		300B
Orange, Massachusetts		247A
Marathon, Texas	278C	276C1
Mason, Texas		239C2
Roby, Texas	249A	290A

⁶ This allotment is conditioned on Entercom License LLC's surrender of the license for cancellation for Station KDND(FM), and the finality of the Commission's termination of the proceeding designating the KDND(FM) renewal application for hearing. *See Entercom License LLC*, Order, FCC 19-60 (July 8, 2019).