

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

|  |   |                     |
|--|---|---------------------|
| In the Matter of                         | ) |                     |
|  | ) |                     |
| Amendment of Section 73.622(i),          | ) | MB Docket No. 21-49 |
| Post-Transition Table of DTV Allotments, | ) | RM-11874            |
| Television Broadcast Stations            | ) |                     |
| (Augusta, Georgia)                       | ) |                     |

**REPORT AND ORDER**

**(Proceeding Terminated)**

**Adopted: May 5, 2021**

**Released: May 5, 2021**

By the Chief, Video Division, Media Bureau:

1. The Video Division, Media Bureau (Bureau), has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a Petition for Rulemaking filed by Gray Television Licensee, LLC (the Petitioner), the licensee of WRDW-TV (CBS), channel 12 (WRDW or Station), Augusta, Georgia. The Petitioner has requested the substitution of UHF channel 27 for VHF channel 12 at Augusta, Georgia in the DTV Table of Allotments.<sup>2</sup>

2. The Petitioner filed comments in support of the petition, as required by the Commission's rules,<sup>3</sup> reaffirming its commitment to applying for channel 27. No other comments were filed. We believe the public interest would be served by substituting channel 27 for channel 12 at Augusta, Georgia. According to the Petitioner, WRDW has received numerous complaints from viewers unable to receive the Station's over-the-air signal, despite being able to receive signals from other stations. Petitioner notes that operation on channel 27 will result in a substantial increase in signal receivability for WRDW viewers.<sup>4</sup> Gray demonstrates that the proposed channel 27 noise limited service contour extends beyond the current channel 12 noise limited service contour, and will result in an increase of 19,219 persons within the Station's service area.<sup>5</sup>

3. As proposed, channel 27 can be substituted for channel 12 at Augusta, Georgia, in compliance with the principal community coverage requirements of section 73.625(a) of the

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<sup>1</sup> *Amendment of Section 73.73.622(i), Post-Transition Table of DTV Allotments, Television Stations (Augusta, Georgia)*, MB Docket No. 21-49, Notice of Proposed Rulemaking, 36 FCC Rcd 1554 (Vid. Div. 2021) (*NPRM*).

<sup>2</sup> As noted in the *NPRM*, on April 13, 2017, the Commission completed the incentive auction and broadcast television spectrum repacking authorized by the Spectrum Act, and the post-incentive auction transition period ended on July 13, 2020. The Bureau will amend the rules to reflect all new full power channel assignments in a revised Table of Allotments, but because the Table has not yet been amended, the Bureau has continued to refer to the Post-Transition Table of DTV Allotments, 47 CFR § 73.622(i) (2018), for the purpose of this proceeding. *See NPRM*, 36 FCC Rcd at 1554, n.2.

<sup>3</sup> 47 CFR §§ 1.415, 1.419; *see also Buffalo, Iola, Normangee, and Madisonville, Texas*, Report and Order, MB Docket No. 07-729, 24 FCC Rcd 8192, 8194, para. 9 (Aud. Div. 2009).

<sup>4</sup> *NPRM*, 36 FCC Rcd at 1555.

<sup>5</sup> *Id.* at 1555-56. *See also*, Petition of Gray Television Licensee, LLC for Rulemaking (filed Nov. 27, 2020), LMS File No. 0000127528 at 3, Engineering Exhibit 3.

Commission's rules,<sup>6</sup> at coordinates 33-24-37.0 N and 81-50-36.0 W. In addition, we find that this channel change meets the technical requirements set forth in sections 73.616 and 73.623 of the Commission's rules with the following specifications:<sup>7</sup>

| <u>City and State</u><br><u>Pop.</u> | <u>DTV Channel</u> | <u>DTV Power (kW)</u> | <u>Antenna HAAT (m)</u> | <u>DTV Service</u> |
|--------------------------------------|--------------------|-----------------------|-------------------------|--------------------|
| Augusta, Georgia                     | 27                 | 800                   | 483.6                   | 1,584,206          |

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to section 553(d)(3) of the Administrative Procedure Act.<sup>8</sup> An expedited effective date is necessary in this case to ensure that WRDW can operate with improved service to its viewers as quickly as possible.

5. Accordingly, pursuant to the authority contained in sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 155(c)(1), 303(g), (r), and 307(b), and sections 0.61, 0.204(b) and 0.283 of the Commission's rules, 47 CFR §§ 0.61, 0.204(b), and 0.283, **IT IS ORDERED**, That effective immediately upon the date of publication in the Federal Register, the DTV Table of Allotments, section 73.622(i) of the Commission's rules, 47 CFR § 73.622(i), **IS AMENDED**, with respect to the community listed below, to read as follows:

| <u>City and State</u> | <u>Channel No.</u> |
|-----------------------|--------------------|
| Augusta, Georgia      | 27, 30, 31, 42     |

6. **IT IS FURTHER ORDERED**, That within 30 days of the effective date of this Order, Gray Television Licensee, LLC shall submit to the Commission a minor change application for a construction permit (Form 2100, Schedule A) specifying channel 27 in lieu of channel 12.

7. **IT IS FURTHER ORDERED**, That pursuant to section 801(a)(1)(A) of the Congressional Review Act, 5 U.S.C. § 801(a)(1)(A), the Commission **SHALL SEND** a copy of the Order to Congress and to the Government Accountability Office.

8. **IT IS FURTHER ORDERED**, That should no petitions for reconsideration or petitions for judicial review be timely filed, MB Docket No. 21-49 **SHALL BE TERMINATED** and its docket closed.

9. For further information concerning the proceeding listed above, contact Andrew Manley, Video Division, Media Bureau, (202) 418-0596, Andrew.Manley@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

<sup>6</sup> 47 CFR § 73.625(a).

<sup>7</sup> 47 CFR §§ 73.616, 73.623.

<sup>8</sup> 5 U.S.C. § 553(d)(3).