

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

In the Matter of
Amendment of Section 73.622(j),
Table of Allotments,
Television Broadcast Stations
(Fort Bragg, California)
MB Docket No. 21-123
RM-11890

REPORT AND ORDER

(Proceeding Terminated)

Adopted: January 11, 2022

Released: January 11, 2022

By the Chief, Video Division, Media Bureau:

1. The Video Division, Media Bureau (Bureau), has before it a Notice of Proposed Rulemaking issued in response to a Petition for Rulemaking filed by One Ministries, Inc. (Petitioner). The Petitioner requests the allotment of channel *4 to Fort Bragg, California, in the Table of Allotments as the community's first local noncommercial educational (NCE) television service.

2. The Petitioner filed comments in support of the petition, as required by the Commission's rules, reaffirming its commitment to apply for channel *4 and if authorized, to build a station promptly. No other comments were filed. We believe the public interest would be served by allotting channel *4 at Fort Bragg, California. Fort Bragg, which has a population of 7,179 according to the 2010 Census, clearly qualifies for community of license status for allotment purposes. In addition, the proposal would result in a first local service to Fort Bragg under the Commission's second allotment priority.

1 Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Stations (Fort Bragg, California), MB Docket No. 21-123, Notice of Proposed Rulemaking, DA 21-1162 (rel. Sept. 16, 2021) (NPRM).

2 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. At the time the NPRM was issued, the Commission had not yet amended its rules to reflect all new full power channel assignments in a revised Table of Allotments. Accordingly, the NPRM referred to the Post-Transition Table of DTV Allotments, 47 CFR § 73.622(i) (2018). The Commission has now adopted the new Table of Allotments, 47 CFR § 73.622(j), and this Report and Order amends the new rule. See Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auction, Gen. Docket No. 12-268, Order, FCC 21-111 (rel. Oct. 25, 2021).

3 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).

4 NPRM at para. 2. We also note that KQSL(TV) is already licensed to Fort Bragg on channel 8. Id.

5 The Commission determines a preferential arrangement of television allotments based on the following five priorities: (1) provide at least one television service to all parts of the United States; (2) provide each community with at least one television broadcast station; (3) provide a choice of at least two television services to all parts of the United States; (4) provide each community with at least two television broadcast stations; and (5) assign any remaining channels to communities based on population, geographic location, and the number of television services available to the community from stations located in other communities. Amendment of Section 3.606 of the Commission's Rules and Regulations, Sixth Report and Order, 41 F.C.C. 148, 167-73 (1952). NCE television

(continued...)

3. The Petitioner demonstrates, and a staff engineering analysis confirms, that channel *4 can be allotted to Fort Bragg, California, consistent with the minimum geographic spacing requirements for new DTV allotments in section 73.623(d) of the Commission's rules (rules),⁶ at 39° 41' 38.4" N and 123° 34' 46.7" W. In addition, the allotment point complies with section 73.625(a)(1) of the rules as the entire community of Fort Bragg is encompassed by the 35 dBμ contour.⁷

4. 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 thirty (30) days from the date of publication in the Federal Register, the Table of Allotments, section 73.622(j) of the Commission's rules, 47 CFR § 73.622(j), **IS AMENDED**, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Fort Bragg, California	*4, 8

5. **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.

6. **IT IS FURTHER ORDERED**, That should no petitions for reconsideration or petitions for judicial review be timely filed, MB Docket No. 21-123, RM-11890, **SHALL BE TERMINATED** and its docket closed.

7. **IT IS FURTHER ORDERED**, That the newly allotted channel *4 at Fort Bragg, California, **SHALL BE AUTHORIZED** pursuant to the Commission's application and selection procedures for reserved noncommercial educational television channels, 47 CFR §§ 73.7000 *et seq.*

8. For further information concerning the proceeding listed above, contact Joyce.Bernstein, Video Division, Media Bureau, (202) 418-1647, Joyce.Bernstein@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau

stations are identified in the Table by an asterisk to indicate they are reserved for noncommercial educational use. 47 CFR § 73.622(a).

⁶ 47 CFR § 73.623(d).

⁷ 47 CFR § 73.625(a)(1); *NPRM* at para. 3.