

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

In the Matter of)	
)	
Amendment of Section 73.622(j))	MB Docket No. 25-246
Television Broadcast Stations)	RM-12007
(Fort Bragg and Cloverdale, California))	

NOTICE OF PROPOSED RULEMAKING

Adopted: August 11, 2025

Released: August 11, 2025

Comment Date: [30 days after date of publication in the Federal Register]

Reply Comment Date: [45 days after date of publication in the Federal Register]

By the Deputy Chief, Video Division, Media Bureau:

I. INTRODUCTION

1. The Video Division, Media Bureau (Bureau) has before it a petition for rulemaking (Petition) filed by One Ministries, Inc. (Petitioner or OMI), the licensee of KQSL(TV) (KQSL), channel 8, Fort Bragg, California (Fort Bragg).¹ OMI requests an amendment of the Table of TV Allotments (Table) to delete channel 8 at Fort Bragg and substitute channel 8 at Cloverdale, California (Cloverdale), consistent with the technical parameters set forth in the Petition, as amended.² The Petitioner further requests modification of its license to specify Cloverdale as its community of license.

II. BACKGROUND

2. Section 1.420(i) of the rules provides that the Commission, during a rulemaking proceeding to amend the Table, may also modify a station's license or permit to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest.³ The Commission has stated that it will apply the modification procedure in section 1.420(i) of the rules in the limited circumstances in which: (1) the new allotment will be mutually exclusive with a station's existing allotment; (2) the new allotment will result in a preferential arrangement of the allotments according to the Commission's television allotment priorities; and (3) the new allotment will not deprive a community of its sole local transmission outlet.⁴

3. The Technical Exhibit submitted with the Petition demonstrates that the proposed allotment of channel 8 at Cloverdale is mutually exclusive with the current allotment at Fort Bragg, and is

¹ One Ministries, Inc., Petition for Rulemaking, LMS File No. 0000222311 (filed Oct. 10, 2023) (Petition). The Petition mistakenly refers to 47 CFR § 73.622(i) of the Commission's rules (rules), which has been replaced by section 73.622(j) of the rules. See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auction*, GN Docket No. 12-268, Order, 36 FCC Rcd 15891 (2021) (adopting new "Table of TV Allotments" to replace "Post-Transition Table of DTV Allotments").

² 47 CFR § 73.622(j).

³ 47 CFR § 1.420(i).

⁴ *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, MM Docket No. 88-526, Report and Order, 4 FCC Rcd 4870, 4873-4, paras. 22 and 28 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990). The Commission determines a preferential arrangement of the 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

(continued....)

otherwise in compliance with all of the Commission's technical rules.⁵ The Petitioner further asserts that its proposal represents a preferential arrangement of allotments under the Commission's second allotment priority because it will result in a first local television station for Cloverdale.⁶ Moreover, Fort Bragg will continue to be served by sister station KEDB.⁷ In addition, because KQSL is not proposing to modify its technical facilities, the community of license change will not adversely affect the service currently provided by the Station to Fort Bragg.⁸

4. The Petitioner asserts that Cloverdale is a community deserving of an allotment.⁹ Cloverdale is the "fastest growing city in Sonoma County," with an estimated population of 8,809 in 2022.¹⁰ The population of Fort Bragg is 6,881 in 2022. Cloverdale is governed by a mayor and four council members, and managed by a City Manager.¹¹ Cloverdale also has a police department and a public school system that serves approximately 1,400 students across three schools.¹² In addition, the Petitioner states that Cloverdale has hundreds of businesses supported by the Cloverdale Chamber of Commerce,¹³ its own ZIP Code,¹⁴ and public bus service.¹⁵

III. DISCUSSION

5. We believe that the Petitioner's proposal warrants consideration. Based on an analysis by Bureau staff, it appears that channel 8 can be allotted to Cloverdale, as proposed, in compliance with the principal community coverage requirements of section 73.618 of the rules¹⁶ at coordinates 39° 41' 38.0" N+ and 123° 34' 43.0" W. The change in community of license from Fort Bragg to Cloverdale would add a first local service to Cloverdale. This meets the second criteria under the Commission's allotment priorities.¹⁷ While it would remove a second allotted service from Fort Bragg, KEDB would continue to remain allotted to Fort Bragg.¹⁸ In addition, the proposed allotment of channel 8 at Cloverdale is

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, 167-173 (1952).

⁵ See Petition at 2 and Engineering Statement, Exhibit B.

⁶ Petition at 3.

⁷ See *id.*; *Amendment of Section 73.622(j), Table of Allotments, Television Broadcast Stations (Fort Bragg, California)*, MB Docket No. 21-123, Report and Order, 37 FCC Rcd 113 (MB 2022).

⁸ Petition at 3.

⁹ *Id.* at 4, citing Exhibit A.

¹⁰ *Id.* Cloverdale's population grew by 32 percent from 2000 to 2010 and is projected to grow by an additional 34 percent by 2035. *Id.*

¹¹ *Id.*, citing Exhibit A. See City of Cloverdale, <https://www.cloverdale.net/> (last visited July 21, 2025).

¹² Petition at 4.

¹³ *Id.* at 5. See Cloverdale Chamber of Commerce, <https://www.Cloverdalechamber.com/> (last visited July 21, 2025).

¹⁴ Petition at 5, citing Exhibit A.

¹⁵ *Id.* The public bus service serving Cloverdale is part of the transit system serving Sonoma County. Sonoma County Transit, <https://sctransit.com/maps-schedules/route-68/> (last visited July 21, 2025).

¹⁶ 47 CFR § 73.618.

¹⁷ See *supra* note 4.

¹⁸ See *Amendment of Section 73.622(j) Television Broadcast Stations (Silver City and Truth or Consequences, New Mexico)*, MB Docket No. 25-84, Report and Order, DA 25-336, para. 6 (MB Apr. 11, 2025).

mutually exclusive with the current allotment at Fort Bragg and because the Station is not proposing to modify its technical facilities, the community of license change will not adversely affect service to its existing viewers in Fort Bragg.¹⁹ Cloverdale has numerous community elements, including public services, that warrant consideration. Finally, the population of Cloverdale (8,809) is larger than that of Fort Bragg (6,881).²⁰ Accordingly, we seek comment on whether Petitioner's proposal to amend the Table in section 73.622(j) of the rules from channel 8 at Fort Bragg to Cloverdale, as shown below, is consistent with the public interest.

City and State	Channel No.	
	Present	Proposed
Fort Bragg, California	*4, 8	*4
Cloverdale, California	-	8

IV. PROCEDURAL MATTERS

6. *Showings Required.* Comments are invited on the proposal discussed in this Notice of Proposed Rulemaking (*NPRM*). The Petitioner or any proponent that expresses interest in the allotment will be expected to answer whatever questions are presented in initial comments. The petitioner of a proposed allotment is required to file comments even if it only resubmits or incorporates by reference its former pleadings. The Petitioner must restate its present intention to apply for the channel if it is allotted and, if authorized, to build a station promptly.²¹ Failure to file may lead to denial of the request. Any requests by a proponent for withdrawal or dismissal of an allotment request must be filed with the Commission in accordance with section 1.420(j) of the rules.²²

7. *Cut-off Protection.* The following procedures will govern the consideration of the filings in this proceeding:

- (a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments.²³
- (b) The filing of a counterproposal may lead the Commission to allot a different channel than was requested in the Petition.²⁴

8. *Comments and Reply Comments.* Pursuant to sections 1.415, 1.419, and 1.420 of the rules,²⁵ interested parties may file comments and reply comments on or before the dates indicated on the

¹⁹ Petition at 2-3.

²⁰ *Id.* at Exhibit A.

²¹ See, e.g., *Buffalo, Iola, Normangee, and Madisonville, Texas*, MB Docket No. 07-279, Report and Order, 24 FCC Rcd 8192, 8194, para. 9 (MB 2009).

²² 47 CFR § 1.420(j).

²³ 47 CFR § 1.420(d).

²⁴ 47 CFR § 1.420(g)(2).

²⁵ 47 CFR §§ 1.415, 1.419, and 1.420.

first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).²⁶

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.
 - Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.²⁷
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington, DC 20554.

9. *Service.* Pursuant to section 1.420 of the rules,²⁸ all submissions by parties to this proceeding or by persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. The person filing the comments shall serve comments on the petitioners. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. A certificate of service shall accompany such comments and reply comments.²⁹ Additionally, a copy of such comments should be served on counsel for petitioner, as follows:

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2050 M Street NW
Washington, D.C. 20036

10. *Ex Parte Notices—Restricted.* The proceeding this Notice initiates shall be treated as a “restricted” proceeding in accordance with the Commission's *ex parte* rules.³⁰ For purposes of this restricted notice and comment rulemaking proceeding, members of the public are advised that no *ex parte* presentations are permitted from the time the Commission adopts a notice of proposed rulemaking until the proceeding has been decided and such decision in the applicable docket is no longer subject to reconsideration by the Commission or review by any court.³¹ An *ex parte* presentation is not prohibited if specifically requested by the Commission or staff for the clarification or adduction of evidence or resolution of issues in the proceeding.³² However, any new written information elicited from such a request or any summary of any new information shall be served by the person making the presentation upon the other parties to the proceeding in a particular docket unless the Commission specifically waives

²⁶ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

²⁷ Hand-delivered or messenger delivered paper filings continue to NOT be accepted at FCC Headquarters.

²⁸ 47 CFR § 1.420.

²⁹ See 47 CFR § 1.420(a), (b) and (c).

³⁰ 47 CFR §§ 1.1200 *et seq.*

³¹ 47 CFR § 1.1208.

³² 47 CFR § 1.1204(a)(10).

this service requirement.³³ Any comment that has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment, to which the reply is directed, constitutes an *ex parte* presentation and shall not be considered in the proceeding.

11. *Providing Accountability Through Transparency Act.* The Providing Accountability Through Transparency Act requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule.³⁴ Accordingly, the Commission will publish the required summary of this Notice of Proposed Rulemaking on <https://www.fcc.gov/proposed-rulemakings>.

12. *Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be available for public inspection via ECFS (<http://apps.fcc.gov/ecfs/>). Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

13. *Paperwork Reduction and Regulatory Flexibility.* The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980, as amended,³⁵ do not apply to a rulemaking proceeding to amend the Table of TV Allotments, section 73.622(j) of the rules.³⁶ This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995.³⁷ In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002.³⁸

14. *People with Disabilities.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

15. *Additional Information.* For further information concerning the proceeding listed above, contact Emily Harrison, Video Division, Media Bureau at Emily.Harrison@fcc.gov (legal) or Mark Colombo, Video Division, Media Bureau at Mark.Colombo@fcc.gov (technical).

V. ORDERING CLAUSES

16. **IT IS ORDERED** that, pursuant to authority found in 47 U.S.C. 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 rules, 47 CFR §§ 0.61, 0.204(b), and 0.283, **IT IS PROPOSED TO AMEND** the Table of TV Allotments, section 73.622(j) of the rules, 47 CFR § 73.622(j), as set forth in this *NPRM*, and this *NPRM* **IS ADOPTED**.

17. **IT IS FURTHER ORDERED** that, pursuant to applicable procedures set forth in sections 1.415, 1.419, 1.420 of the rules, 47 CFR §§ 1.415, 1.419, and 1.420, interested parties may file

³³ 47 CFR § 1.1204(a)(10)(ii). In addition, an oral presentation in a restricted proceeding not designated for hearing requesting action by a particular date or giving reasons that a proceeding should be expedited other than the need to avoid administrative delay is permitted. A detailed summary of the presentation must be filed in the record and served by the person making the presentation on the other parties to the proceeding, who may respond in support or opposition to the request for expedition, including by oral *ex parte* presentation, subject to the same service requirement. 47 CFR § 1.1204(a)(11).

³⁴ 5 U.S.C. § 553(b)(4). The Providing Accountability Through Transparency Act, Pub. L. No. 118-9 (2023), amended section 553(b) of the Administrative Procedure Act.

³⁵ See 5 U.S.C. § 603. The RFA, *see* 5 U.S.C. § 601 *et seq.*, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 857 (1996). The SBREFA was enacted as Title II of the Contract with America Advancement Act of 1996 (CWAAA).

³⁶ 47 CFR § 73.622(j).

³⁷ See 44 U.S.C. §§ 3501-3520.

³⁸ See 44 U.S.C. § 3506(c)(4).

comments, including counterproposals, on the *NPRM* in MB Docket No. 25-246 and RM-12007 on or before thirty (30) days after publication in the Federal Register and reply comments on or before forty-five (45) days after publication in the Federal Register.

FEDERAL COMMUNICATIONS COMMISSION

David J. Brown
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Media Bureau