

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

In the Matter of)	
)	
Amendment of Section 73.622(j), Table of TV)	MB Docket No. 25-287
Allotments, Television Broadcast Stations)	RM-12010
(Hutchinson, Kansas))	

**REPORT AND ORDER
(PROCEEDING TERMINATED)**

Adopted: February 5, 2026

Released: February 5, 2026

By the Chief, Video Division, Media Bureau:

I. INTRODUCTION

1. The Video Division, Media Bureau (Bureau), has before it a *Notice of Proposed Rulemaking (NPRM)*¹ issued in response to a Petition for Rulemaking filed by Kansas Public Telecommunications Service, Inc. (Kansas Public or Petitioner),² the licensee of noncommercial educational PBS member television station KPTS(TV) (KPTS or Station), channel *8, Hutchinson, Kansas (Hutchinson). Kansas Public requests that the Bureau substitute channel *33 for channel *8 in the Table,³ with the technical parameters specified in the Petition. Kansas Public filed comments in support of the Petition, stating its intention to apply for a construction permit for channel *33, and if authorized, to promptly construct the facility.⁴ No other comments were received. For the reasons below, we conclude that the public interest would be served by substituting channel *33 for channel *8 at Hutchinson.

II. BACKGROUND

2. In support of its channel substitution request, the Petitioner asserts that allowing the Station to move from a VHF to a UHF channel would serve the public interest by improving signal reception for viewers.⁵ According to the Petitioner, KPTS, as a VHF station, has had “a long history” of viewer reception issues following its digital conversion.⁶ In support, the Petitioner observes that the Commission has recognized that “‘VHF channels have certain characteristics that have posed challenges for their use in providing digital television service,’ including ‘propagation characteristics of these channels [that] allow undesired signals and noise to be receivable at relatively farther distances.’”⁷

¹ *Amendment of Section 73.622(j), Table of TV Allotments, Television Broadcast Stations (Hutchinson, Kansas)*, MB Docket No. 25-287, Notice of Proposed Rulemaking, DA 25-854 (MB Sept. 16, 2025) (*NPRM*).

² Petition of Kansas Public Telecommunications, Service, Inc. for Rulemaking (filed Feb. 14, 2025, as amended Mar. 18, 2025), on file at LMS File No. 0000266714 (Petition). Allotments in the Table of TV Allotments (Table) designated by an asterisk (*) are reserved for noncommercial educational use. 47 CFR § 73.622(a).

³ 47 CFR § 73.622(j).

⁴ Kansas Public Comments at 1.

⁵ See *NPRM* at para. 2; Petition at 1-2.

⁶ *NPRM* at para. 2; Petition at 2.

⁷ *NPRM* at para. 2; Petition at 2-3, citing *Innovation in the Broadcast Television Bands: Allocations, Channel Sharing and Improvements to VHF*, ET Docket No. 10-235, Notice of Proposed Rulemaking, 25 FCC Rcd 16498, 16511, para. 42 (2010) (*VHF Improvements NPRM*); see also *Amendment of Section 73.622(j), Table of Allotments*, (continued....)

Additionally, the Petitioner notes that the Commission has observed “large variability in the performance (especially intrinsic gain) of indoor antennas available to consumers, with most antennas receiving fairly well at UHF and the substantial majority not so well to very poor at high-VHF.”⁸

3. An engineering statement provided by the Petitioner confirms that the proposed channel *33 contour would provide full principal community coverage to Hutchinson.⁹ The proposed move to channel *33 from channel *8 is not predicted to create a loss of service to any viewers.¹⁰ In fact, the Petition supports a finding that the proposed channel change is predicted to result in service to more viewers, both through better signal quality and an expanded coverage area.¹¹ Petitioner’s engineering statement also confirms that the proposed channel substitution contour would not cause impermissible interference to any other licensed facilities.¹² The proposed channel *33 facility would remain at its licensed transmission site and operate at an effective radiated power of 1000 kW and height above average terrain (HAAT) of 244 meters.¹³

III. DISCUSSION

4. We find that channel *33 can be substituted for channel *8 at Hutchinson, as proposed, in compliance with the principal community coverage requirements of section 73.618(a) of the Commission’s rules (Rules),¹⁴ at coordinates 38-03'-21.4" N. and 97-46'-36.1" W. In addition, we find that this channel change meets the technical requirements set forth in section 73.622(a) of the Rules.¹⁵ KPTS is currently operating on channel *8 and the substitution of channel *33 for channel *8 in the Table will allow the Station to improve its over-the-air reception within its coverage area and is not predicted to result in viewer loss. Accordingly, we conclude it is in the public interest to substitute channel *33 for channel *8 with the following specifications:

<u>City and State</u>	<u>Channel</u>	<u>Power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>Service Pop.</u>
Hutchinson, Kansas	*33	1000	244	819,406

IV. PROCEDURAL MATTERS

5. Accordingly, pursuant to the authority contained in sections 4(i), 5(c)(1), 303(g), (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 30 days after publication of this Report and Order in the Federal Register, the Table of TV 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>
Hutchinson, Kansas	19, *33, 35

Television Broadcast Stations (Knoxville, Tennessee), MB Docket No. 23-244 and RM-11955, Report and Order, 38 FCC Rcd 9304 (MB 2023) (approving a change in channel from high-band VHF to UHF in order to resolve viewer reception issues).

⁸ *NPRM* at para. 2; Petition at 3, citing *VHF Improvements NPRM*, 25 FCC Rcd at 16512, para. 44.

⁹ *NPRM* at para. 3; Petition, Engineering Statement at 4.

¹⁰ *NPRM* at para. 3; Petition, Engineering Statement at 5.

¹¹ *NPRM* at para. 3; *see* Petition, Engineering Statement at 2-3; 5.

¹² *NPRM* at para. 3; Petition, Engineering Statement at 6.

¹³ *NPRM* at para. 3; Petition, Engineering Statement at 6.

¹⁴ 47 CFR § 73.618(a).

¹⁵ 47 CFR § 73.622(a).

6. **IT IS FURTHER ORDERED** that, within 10 days of the effective date of this Report and Order, Kansas Public Telecommunications Service, Inc. shall submit to the Commission a minor change application for a construction permit (Form 2100, Schedule A) specifying channel *33.

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 Report and 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. 25-287 and RM-12010 **SHALL BE TERMINATED** and the dockets closed.

9. For further information concerning the proceeding listed above, contact Devin Loveland, Video Division, Media Bureau at Devin.Loveland@fcc.gov (legal); 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).

FEDERAL COMMUNICATIONS COMMISSION

David J. Brown
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