

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

In the Matter of)
)
Amendment of section 73.202(b)) MB Docket No. 25-298
Table of Allotments,)
FM Broadcast Stations.)
(Various Locations))

REPORT AND ORDER

Adopted: February 9, 2026

Released: February 9, 2026

By the Assistant Chief, Audio Division, Media Bureau:

I. INTRODUCTION

1. The Audio Division has before it the *Notice of Proposed Rule Making*¹ proposing to amend the Table of FM Allotments (FM Table), section 73.202(b) of the Commission's rules (Rules),² by substituting the FM channel or class for five existing vacant FM allotments located in various communities in Alabama, California, and Texas. No comments or counterproposals were filed in this proceeding. For the reasons discussed below, we substitute the channels or class for those communities.

II. BACKGROUND

2. The Audio Division, on its own motion, proposed the substitution of five vacant FM allotments located in various communities in Alabama, California, and Texas, because a recent staff engineering analysis determined that these vacant FM allotments do not comply with the minimum distance separation requirement of section 73.207 of the Rules.³ Specifically, the *Notice* stated that: 1) vacant Channel 221A, Hamilton, Alabama is short-spaced by 8 kilometers to FM station WOWL, Burnsville, Mississippi and by 11 kilometers to FM station WMSU, Starkville, Mississippi; 2) vacant Channel 261B, Coalinga, California is short-spaced by 6 kilometers to FM station KMAK, Orange Cove, California;⁴ 3) vacant Channel 291A, Rocksprings, Texas is short-spaced by 2 kilometers to FM station KKVR, Kerrville, Texas; 4) vacant Channel 221A, Silverton, Texas is short-spaced by 30 kilometers to vacant Channel 221C2 at Turkey, Texas; and 5) vacant Channel 260C2, Spur, Texas is short-spaced by 7 kilometers to licensed FM station KCHT, Childress, Texas.⁵

III. DISCUSSION

3. Accordingly, we substitute Channel 277A for vacant Channel 221A at Hamilton,

¹ *Various Locations*, Notice of Proposed Rule Making, DA 25-911, rel. September 30, 2025 (MB 2025), ("Notice"); see also 90 FR 51630 (published November 18, 2025).

² 47 CFR § 73.202(b).

³ 47 CFR § 73.207.

⁴ The staff engineering analysis determined that vacant Channel 261B at Coalinga also does not comply with the city-grade coverage requirements of 47 CFR § 73.315. See *Notice* at ¶ 4. The *Notice* proposed the downgrade of the vacant Coalinga allotment from Class B to Class B1, because there are no alternate Class B channels available at Coalinga that would comply with 47 CFR §§ 73.207 and 73.315. See *Notice* at ¶ 8, note 28.

⁵ See *Notice* at ¶¶ 3-7.

Alabama;⁶ Channel 261B1 for vacant Channel 261B at Coalinga, California;⁷ Channel 289A for vacant Channel 291A at Rocksprings, Texas;⁸ Channel 261A for vacant Channel 221A at Silverton, Texas;⁹ and Channel 281C2 for vacant Channel 260C2 at Spur, Texas.¹⁰ We find that the FM substitutions would be in the public interest under Priority (4),¹¹ because it resolves the existing FM spacing conflicts consistent with the minimum distance separation requirements pursuant to section 73.207 of the Rules.¹² The staff engineering analysis indicates that the FM substitutions also comply with the city-grade coverage requirements pursuant to section 73.315 of the Rules.¹³

4. *Paperwork Reduction and Regulatory Flexibility.* The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980, as amended,¹⁴ do not apply to a rulemaking proceeding to amend the Table of FM Allotments, section 73.202(b) of the Rules.¹⁵ This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995.¹⁶ 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 2002.¹⁷

IV. ORDERING CLAUSES

5. 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, March 26, 2026, the Table of FM Allotments, 47 CFR § 73.202(b), IS AMENDED,

⁶ Channel 277A can be allotted to Hamilton, Alabama consistent with the minimum distance separation requirements of 47 CFR § 73.207, provided there is a site restriction of 7 kilometers (4.4 miles) north of the community at reference coordinates 34-11-50 NL and 88-01-37 WL.

⁷ Channel 261B1 can be allotted to Coalinga, California consistent with the minimum distance separation requirements of 47 CFR § 73.207, without a site restriction at the community’s reference coordinates 36-8-23 NL and 120-21-37 WL.

⁸ Channel 289A can be allotted to Rocksprings, Texas consistent with the minimum distance separation requirements of 47 CFR § 73.207, provided there is a site restriction of 12.1 kilometers (7.5 miles) west of the community at reference coordinates 29-59-52 NL and 100-20-10 WL.

⁹ Channel 261A can be allotted to Silverton, Texas consistent with the minimum distance separation requirements of 47 CFR § 73.207, provided there is a site restriction of 11 kilometers (6.8 miles) northwest of the community at reference coordinates 34-33-34 NL and 101-21-13 WL.

¹⁰ Vacant Channel 260C2 at Spur, Texas is not currently listed in the FM Table. *See Notice* at note 35. Channel 281C2 can be allotted to Spur, Texas consistent with the minimum distance separation requirements of 47 CFR § 73.207, provided there is a site restriction of 22.5 kilometers (14 miles) east of the community at reference coordinates 33-26-51 NL and 100-36-59 WL.

¹¹ *See Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982). The FM allotment priorities are: (1) First fulltime aural service, (2) Second fulltime aural service, (3) First local service and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3).

¹² 47 CFR § 73.207.

¹³ 47 CFR § 73.315.

¹⁴ 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).

¹⁵ 47 CFR § 73.202(b).

¹⁶ 44 U.S.C. §§ 3501-3520.

¹⁷ 44 U.S.C. § 3506(c)(4).

with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Hamilton, Alabama	277A
Coalinga, California	261B1
Rocksprings, Texas	289A
Silverton, Texas	261A
Spur, Texas	281C2

6. The window period for filing applications for these vacant FM allotments will not be opened at this time. Instead, the issue of opening these allotments for filing will be addressed by the Commission in a subsequent order.

7. IT IS FURTHER ORDERED, That the Commission will send a copy of this *Report and Order* in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

9. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2054.

FEDERAL COMMUNICATIONS COMMISSION

Nazifa Sawez
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Media Bureau