

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

In the Matter of)
)
FM Broadcast Station.) MB Docket No. 26-10
DKJOJ-FM, Freeport, Texas)

ORDER

Adopted: May 12, 2026

Released: May 13, 2026

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it the Notice of Deletion of FM Channel proposing to delete vacant Channel 277C at Freeport, Texas since it would not comply with the minimum distance separation requirements of section 73.207 of the Commission's rules.¹ No comments were filed in response to the *Notice*. For the reasons discussed below, we delete vacant Channel 277C at Freeport, Texas.

2. The Audio Division, on its own motion, proposed the deletion of vacant Channel 277C at Freeport after a staff engineering analysis determined that the vacant FM channel is short-spaced by 182 kilometers to vacant Channel 277C2 at Wharton, Texas, and there are no alternate channels available to resolve the short-spacing conflict.² Channel 277C at Freeport, Texas became a vacant FM channel following the cancellation of the station DKJOJ-FM license.³ Generally, when the FM station license is cancelled, the vacant FM channel is reinstated in the Table of FM Allotments (FM Table)⁴ to maintain spacing protection and to preserve the opportunity to license a future station in the specified community.⁵ In this instance, vacant Channel 277C at Freeport, Texas cannot be reinstated to the FM Table since it would not comply with the Commission's spacing requirements.⁶

3. Accordingly, we delete vacant Channel 277C at Freeport, Texas. We find that the deletion of vacant Channel 277C at Freeport is consistent with the Commission's policy that we will not retain a vacant FM channel that would not comply with the Commission's spacing requirements.⁷ We

¹ See *DKJOJ-FM, Freeport, Texas*, Notice of Deletion of FM Channel, DA 26-88, rel. Jan. 27, 2026 (MB 2026), 2026 WL 242516 (*Notice*). See also 47 CFR § 73.207.

² The minimum distance separation requirement is 249 kilometers. See *Notice* at ¶ 3.

³ On June 22, 2022, the Audio Division dismissed the KJOJ-FM renewal of license application (Application File No. 0000142749), cancelled the license (Application File No. BLH-19871013KC), and deleted the call sign from the database for station KJOJ-FM, Freeport, Texas. See *Letter Decision from Chief, Audio Division, Media Bureau, FCC, to Estrella Radio License of Houston LLC* (MB 2022).

⁴ 47 CFR § 73.202(b).

⁵ See e.g. *Various Locations*, Order, DA 25-1062, rel. Dec. 17, 2025 (MB 2025), 2025 WL 3707884 and *Various Locations*, Order, 40 FCC Rcd 4414 (MB 2025) (amending the FM Table to reinstate certain FM channels in various communities as a vacant FM allotment).

⁶ See *Notice* at ¶ 4.

⁷ See *San Clemente, California*, Report and Order, 10 FCC Rcd 8291 (MMB 1995)(deleting Channel 285A at San Clemente, CA because it violates 47 CFR § 73.207, finding that its retention no longer serves the public interest since it may never be properly utilized).

conclude that the deletion of vacant Channel 277C at Freeport, Texas serves the public interest by resolving the spacing conflict with vacant Channel 277C2 at Wharton, Texas.

4. *Paperwork Reduction and Regulatory Flexibility.* The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980, as amended,⁸ do not apply to a rulemaking proceeding to amend the Table of FM Allotments, section 73.202(b) of the Rules.⁹ This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995.¹⁰ 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 2002.¹¹

5. IT IS ORDERED, That Effective upon the release of this *Order*, vacant Channel 277C at Freeport, Texas IS HEREBY DELETED, and that the Commission’s Licensing and Management System (LMS) will reflect Channel 277C at Freeport, Texas as an inactive record.

6. IT IS ORDERED, That this proceeding IS TERMINATED.

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

FEDERAL COMMUNICATIONS COMMISSION

Nazifa Sawez
Assistant Chief, Audio Division
Media Bureau

⁸ 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).

⁹ 47 CFR § 73.202(b).

¹⁰ 44 U.S.C. §§ 3501-3520.

¹¹ 44 U.S.C. § 3506(c)(4).