

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

MM Docket No. 87-595

In the Matter of

Amendment of Section 73.202(b), RM-5857  
Table of Allotments,  
FM Broadcast Stations.  
(Beloit, Kansas)

**REPORT AND ORDER**  
(Proceeding Terminated)

Adopted: December 13, 1989; Released: January 4, 1990

By the Chief, Allocations Branch:

1. The Commission has before it for consideration the *Notice of Proposed Rule Making*, 3 FCC Rcd (1988), issued in response to a petition filed by Solomon Valley Broadcasting, Inc. (petitioner), requesting the substitution of FM Channel 288C2 for Channel 288A at Beloit, Kansas. The *Notice* also proposed the modification of the license for Station KVSF-FM, Beloit, to specify operation on the new channel. Petitioner filed comments in support of the *Notice*. KNZA, Inc., filed late comments. Petitioner, Manhattan Broadcasting Company and Kaw Valley Broadcasting filed reply comments.

2. In a separate but related proceeding initiated by KNZA, Inc., the Commission proposed substituting Channel 268C2 for Channel 280A at Hiawatha, Kansas, and modification of the license of Station KNZA-FM to specify operation on Channel 280C2. See, MM Docket 87-36, 2 FCC Rcd 1517 (1987). Manhattan Broadcasting Company filed a counterproposal requesting the substitution of FM Channel 268C2 for Channel 269A at Manhattan, Kansas, and modification of its license for Station KMKF to specify operation on Channel 268C2.<sup>1</sup> Manhattan Broadcasting Company further proposed the substitution of Channel 280C2 for Channel 280A at Hiawatha, Kansas, allowing upgrades at Manhattan and Ogden, Kansas. To accommodate Channel 280C2 at Hiawatha, a substitution would be required at Ogden, Kansas. Manhattan Broadcasting Company proposed the substitution of Channel 288A for 280A at Ogden. However, Channel 288A at Ogden would conflict with Channel 288C2 at Beloit, Kansas. Channel 278A was suggested as an alternate solution for Ogden. In accordance with that suggestion, we directed an *Order To Show Cause* to Kaw Valley Broadcasting Co., license of the station at Ogden, why its channel should not be changed from 280A to 278A. See 4 FCC Rcd 3795 (1989). Kaw Valley has agreed to the substitution of channels.<sup>2</sup> Simultaneously with the adoption of this *Report & Order* we have adopted a *Report & Order* in MM Docket 87-36, substituting Channel 280C2 for Channel 280A at Hiawatha, Kansas, Channel 278A for 280A at Ogden, Kansas, and Channel 268C2 for Channel 269A at Manhattan, Kansas. The allotment of Channel 278A rather than

Channel 288A at Ogden removes the conflict that existed between Ogden and Beloit, allowing the Commission to proceed with petitioner's request for an upgrade at Beloit.

3. We believe the public interest would be served by the substitution of FM Channel 288C2 for Channel 288A at Beloit, since it could provide the community with its first wide coverage area FM service. The substitution can be made in compliance with the minimum distance separation requirements of the Commission's Rules at the current site of Station KVSF-FM.<sup>3</sup> We have authorized a modification of petitioner's license for Station KVSF-FM, Beloit, Kansas, to specify operation on Channel 288C2 in accordance with Section 1.420(g) of the Commission's Rules.

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, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective February 20, 1990, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, to read as follows:

City	Channel No.
Beloit, Kansas	288C2

5. IT IS FURTHER ORDERED, pursuant to the authority contained in Section 316 of the Communications Act of 1934, as amended, that the license of Solomon Valley Broadcasting, Inc. for Station KVSF-FM, Beloit, Kansas, IS MODIFIED TO SPECIFY operation on Channel 288C2 in lieu of Channel 288A, subject to the following conditions:

(a) Within 90 days of the effective date of this *Order*, the licensee shall file with the Commission a minor change application for construction permit (Form 301), specifying the new facility.

(b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620.

(c) Nothing contained herein shall be construed to authorize a major change in transmitter location or to avoid the necessity of filing an environmental impact statement pursuant to Section 1.1301 of the Commission's Rules.

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

7. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Karl Kensinger  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**FOOTNOTES**

<sup>1</sup> Public Notice of the counterproposal was given on May 20, 1987, Report No. 1661 (RM-5923).

<sup>2</sup> Although Kaw Valley Broadcasting agreed to the substitution of channels to accommodate upgrades at Hiawatha and Manhattan, Kansas, it stated its desire for a C2 Channel at Ogden. In response to its expression of interest, we shall issue a *Notice* proposing to upgrade Channel 278A to Channel 278C2 at Ogden, Kansas.

<sup>3</sup> The coordinates for Channel 288C2 at Beloit are 39-26-53 and 98-04-44.