

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

MM Docket No. 89-564

In the Matter of

Amendment of Section 73.202(b), RM-7016
Table of Allotments,
FM Broadcast Stations.
(Forrest City, Arkansas)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: September 18, 1990 Released: September 28, 1990

By the Deputy Chief, Policy and Rules Division:

1. The Commission considers herein the *Notice of Proposed Rule Making*, 4 FCC Rcd 8530 (1989), issued in response to a petition filed on behalf of Forrest City Broadcasting Company (petitioner), licensee of Station KBFC(FM), Channel 228A, Forrest City, Arkansas, proposing the substitution of Channel 228C3 for Channel 228A and modification of its license to specify operation on the higher powered channel. Petitioner filed supporting comments in response to the *Notice*. No other comments were received.

2. As indicated in the *Notice*, Channel 228C3 can be allotted to Forrest City, Arkansas, at the petitioner's suggested site, which is 19.1 kilometers (11.9 miles) southwest of the community,¹ consistent with the minimum distance separation requirements of the Commission's Rules.

3. In view of the above, we believe the public interest would be served by substituting Channel 228C3 for Channel 228A at Forrest City, Arkansas, since it would provide an expanded coverage FM service to the community. Therefore, in accordance with the provisions of Section 1.420(g) of the Commission's Rules, we are modifying herein the license of Forrest City Broadcasting Company to specify operation on Channel 228C3 in lieu of Channel 228A, as requested.²

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 **November 13, 1990**, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED with respect to the community listed below, as follows:

City	Channel No.
Forrest City,	
Arkansas	228C3

5. IT IS FURTHER ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license issued to Forrest City Broadcasting Company for Station KBFC(FM) IS MODIFIED effective **November 13, 1990**, to specify operation on Channel 228C3 in lieu of Channel 228A, subject to the following conditions:

(a) Within 90 days of the effective date of this *Order*, the licensee shall submit to the Commission a minor change application for a 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; and

(c) Nothing contained herein shall be construed to authorize a 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 the above, contact Nancy Joyner, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Kathleen B. Levitz
Deputy Chief
Policy and Rules Division
Mass Media Bureau

FOOTNOTES

¹ Coordinates at the petitioner's suggested site for Channel 228C3 at Forrest City are 34-52-36 and 90-55-00.

² Because this allotment is made as a result of a petition for rule making filed prior to October 2, 1989, the licensee may avail itself of the provisions of Section 73.213(c) of the Commission's Rules. See 47 CFR § 73.213(c).