

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

MM Docket No. 89-163

In the Matter of

Amendment of Section 73.202(b), RM-6935
Table of Allotments,
FM Broadcast Stations.
(Columbus, Nebraska)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 9, 1990;

Released: July 16, 1990

By the Deputy Chief, Policy and Rules Division:

1. The Commission, on its own motion, issued the *Notice of Proposed Rule Making*, 4 FCC Rcd 4904 (1989), proposing the substitution of Channel 228C3 for Channel 228A at Columbus, Nebraska, and the modification of Station KWMG's license to specify operation on the higher powered channel.¹ Husker Broadcasting, Inc. ("Husker"), licensee of Station KWMG, filed a counterproposal requesting instead the substitution of Channel 228C1 for Channel 228A at Columbus.² Husker stated that it would file an application for the higher powered channel, if allotted. No other comments were received.

2. We believe the public interest would be served by substituting Channel 228C1 for Channel 228A at Columbus, Nebraska, since it could enable Station KWMG to expand its coverage area. Channel 228C1 can be allotted to Columbus in compliance with the Commission's minimum distance separation requirements with a site restriction of 29.7 kilometers (18.5 miles) west to avoid a short-spacing to the construction permit for Station KRRK(FM), Channel 227A, Bennington, Nebraska.³

3. 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 August 30, 1990, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

City	Channel No.
Columbus, Nebraska	228C1, 266C1

4. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the license of Husker Broadcasting, Inc. for Station KWMG, Columbus, Nebraska, IS MODIFIED to specify operation on Channel 228C1, 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).

(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 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.

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

6. For further information concerning this proceeding, contact Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

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

FOOTNOTES

¹ The Commission, on its own motion, proposed the reclassification of 149 stations from Class A to C3. The reclassification under consideration herein for Station KWMG, Columbus, Nebraska, is one of those proposals.

² Public Notice of the filing of the counterproposal was given on August 18, 1989, Report No. 1791.

³ The coordinates for Channel 228C1 at Columbus are North Latitude 41-32-28 and West Longitude 97-40-50. Since Husker's counterproposal was filed prior to October 2, 1989, it may avail itself of the provisions of Section 73.213(c) of the Commission's Rules. See 47 C.F.R. § 73.213(c).