

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

MM Docket No. 89-365

In the Matter of

Amendment of Section 73.202(b), RM-6811
Table of Allotments,
FM Broadcast Stations.
(Ottumwa, Iowa)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 20, 1990;

Released: July 27, 1990

By the Deputy Chief, Policy and Rules Division:

1. At the request of Gillbro Communications Limited Partnership (petitioner), the Commission has before it the *Notice of Proposed Rule Making*, 4 FCC Rcd 6518 (1989), proposing the substitution of Channel 224C3 for Channel 224A at Ottumwa, Iowa, and the modification of its license for Station KTWa to specify operation on the higher powered channel. Petitioner filed comments reiterating its intention to apply for the channel, if allotted. No other comments were received.

2. We believe the public interest would be served by substituting Channel 224C3 for Channel 224A at Ottumwa since it could enable Station KTWa to expand its coverage area. Channel 224C3 can be allotted to Ottumwa in compliance with the Commission's minimum distance separation requirements with a site restriction of 8.1 kilometers (5.0 miles) northwest to avoid a short-spacing to the pending application of Station KGRC, Channel 225C1, Hannibal, Missouri (BPH-890202IC) and to accommodate petitioner's desired transmitter site.¹ As proposed, we will modify petitioner's license for Station KTWa to specify operation on Channel 224C3.

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 September 10, 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.
Ottumwa, Iowa	224C3, 249A

4. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the license of Gillbro Communications Limited Partnership for Station KTWa, Ottumwa, Iowa, IS MODIFIED to specify operation on Channel 224C3, in lieu of Channel 224A, 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

FOOTNOTE

¹ The coordinates for this allotment are North Latitude 41-05-00 and West Longitude 92-27-30. Because the petition which resulted in this allotment was 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 C.F.R. §73.213(c).