

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

MM Docket No. 91-319

In the Matter of

Amendment of Section 73.202(b), RM-7844  
Table of Allotments.  
FM Broadcast Stations.  
(Blakely, Georgia)

**REPORT AND ORDER**  
**(Proceeding Terminated)**

Adopted: January 28, 1992; Released: February 7, 1992

By the Assistant Chief, Allocations Branch:

1. Pursuant to the request of Hirsch Broadcasting, Inc. ("petitioner"), the Commission has before it for consideration the *Notice of Proposed Rule Making*, 6 FCC Rcd 6517 (1991), proposing the substitution of Channel 226C3 for Channel 226A at Blakely, Georgia, and the modification of its license to specify the higher powered channel. Petitioner filed comments restating its intention to apply for the channel, if allotted. No other comments were received.

2. We believe the public interest would be served by the substitution of Channel 226C3 for Channel 226A at Blakely, Georgia, since it could provide the community with a wide coverage area FM station. Channel 226C3 can be allotted to Blakely at petitioner's specified site in compliance with the Commission's minimum distance separation requirements with a site restriction of 16.6 kilometers (10.3 miles) southwest of the community. In accordance with Section 1.420(g) of the Commission's Rules, we are modifying the license of Station WDKZ(FM) to specify operation on Channel 226C3 in lieu of Channel 226A at Blakely, Georgia.

3. Accordingly, pursuant to the authority found 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 **March 23, 1992**, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, as follows:

City	Channel No.
Blakely, Georgia	226C3

4. IT IS FURTHER ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Station WDKZ(FM), Blakely, Georgia, IS MODIFIED, to specify operation on Channel 226C3 in lieu of Channel 226A, 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.

5. Pursuant to Commission Rule Section 1.1104(1)(k) and (2)(k), any party seeking a change of community of license of an FM or television allotment or an upgrade of an existing FM allotment, if the request is granted, must submit a rule making fee when filing its application to implement the change in community of license and/or upgrade. As a result of this proceeding, Hirsch Broadcasting, Inc., licensee of Station WDKZ(FM), is required to submit a rule making fee in addition to the fee required for the application to effect the upgrade.

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

7. For further information concerning this proceeding, contact Nancy J. Walls, Mass Media Bureau. (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Michael C. Ruger  
Assistant Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau