

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

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MM Docket No. 96-53
Table of Allotments,)	RM-8767
TV Broadcast Stations.)	
(Marinette, Wisconsin))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: August 23, 1996

Released: August 30, 1996

By the Chief, Allocations Branch:

1. At the request of Douglas A. Maszka d/b/a Tri-City Television Company ("TriCity"), the Commission has before it for consideration the Notice of Proposed Rule Making, 11 FCC Rcd 3557 (1996), proposing the allotment of UHF Television Channel 25 to Marinette, Wisconsin, as that community's first local television service.¹ Tri-City filed comments in support of the proposal. On August 7, 1996, Tri-City filed comments withdrawing its interest in the allotment at Marinette.²
2. As stated in the Notice, a showing of continuing interest is required before a channel will be allotted, and absent such an expression of interest, it is the Commission's policy to refrain from allotting the channel. Therefore, we shall grant TriCity's request to dismiss its proposal.
3. Accordingly, IT IS ORDERED, That the request of Douglas A. Maszka d/b/a Tri-City Television Company to allot Channel 25 to Marinette, Wisconsin, IS DISMISSED.
4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

¹ We note that Douglas A. Maszka d/b/a Tri-Cities Television Company filed a petition to allot Channel 25 to Menominee, Michigan, or allotment of Channel 46 at Wittenberg, Wisconsin, or substitution of Channel *25 for Channel *17 at Iron Mountina, Michigan, allotment of Channel 17 at Wittenberg, Wisconsin, and change of the offset for Channel 17, Ely, Minnesota, from a minus to a plus. A Notice of Proposed Rule Making was issued in response to the petition in MM Docket 94-80. See 9 FCC Rcd 3314 (1994). The Report and Order in Docket 94-80 dismissed the proceeding for lack of interest on behalf of Douglas A. Maszka d/b/a Tri-Cities Television or any other party. See 9 FCC Rcd 6088 (1994).

² In accordance with section 1.420(j) of the Commission's Rules, petitioner states that it received no consideration in exchange for withdrawing its expression of interest.

5. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 418-2181.

FEDERAL COMMUNICATIONS COMMISSION

**John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau**