

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 96-154
Table of Allotments,)	RM-8834
FM Broadcast Stations.)	
(Wynnewood, Oklahoma))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: September 27, 1996

Released: October 4, 1996

By the Chief, Allocations Branch:

1. At the request of Bea Kimbrough ("petitioner"), the Commission has before it the Notice of Proposed Rule Making, 11 FCC Rcd 8657 (1996), proposing the allotment of Channel 291A to Wynnewood, Oklahoma, as the community's first local aural transmission service. Petitioner filed comments withdrawing her interest in the proposal.¹ No other comments were received.

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 petitioner's request to dismiss her proposal.

3. Accordingly, IT IS ORDERED, That the request of Bea Kimbrough to allot Channel 291A to Wynnewood, Oklahoma, IS DISMISSED.

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

¹ Although the withdrawal request was not filed in compliance with the requirements of Section 1.420(j) of the Commission's Rules, we will excuse the petitioner's infraction in this instance in light of the ultimate disposition of this proceeding. However, our determination should not be interpreted as a relaxation of the Commission's Rules requiring a withdrawing party to an allotment proceeding to provide a copy of any written agreement or affidavit setting forth the particulars of the withdrawal, as specified in Section 1.420(j).

6. For further information concerning this proceeding, contact Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

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