

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 97-14
Table of Allotments,)	RM-8916
FM Broadcast Stations.)	
(Idaho Falls, Idaho))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: May 14, 1997

Released: May 23, 1997

By the Chief, Allocations Branch:

1. Before the Commission for consideration is the *Notice of Proposed Rule Making* (*Notice*), 12 FCC Rcd 669 (1997), issued in response to a petition for rule making filed on behalf of IF Broadcasting of Idaho ("petitioner"), proposing the allotment of Channel 296A to Idaho Falls, Idaho, as that community's fifth local FM service. Petitioner filed supporting comments in response to the *Notice*. No other comments were received.

2. In view of the interest expressed in providing an additional local FM service to Idaho Falls, Idaho, we will allot Channel 296A to that community, as requested.

3. As stated in the *Notice*, Channel 296A can be allotted to Idaho Falls consistent with the minimum distance separation requirements of Section 73.207(b)(1) of the Commission's Rules, provided the transmitter therefor is located at least 4.8 kilometers (3.0 miles) southwest of the community at coordinates 43-27-21 and 112-04-03.¹

4. 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 July 7, 1997, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED with respect to Idaho Falls, Idaho, as follows:

¹As stated in the *Notice*, the site restriction is imposed to avoid a short-spacing to a one-step application for Channel 293C, Island Park, Idaho, at coordinates 44-10-31 and 111-25-47 (File No. BPH-961023MJ). Although the instant petition was filed prior to the Island Park, Idaho, application, placement of a site restriction on proposed Channel 296A at Idaho Falls, is consistent with the Commission's stated policy of attempting to eliminate conflicts between a rule making petition and a later-filed FM application where possible to do so without prejudice to the affected parties. See, *Conflicts Between Applicants and Petitions for Rulemaking to Amend the FM Table of Allotments* ("Conflicts"), 8 FCC Rcd 4743, 4745 N.12 (1993).

<u>City</u>	<u>Channel No.</u>
Idaho Falls, Idaho	241C, 256C1, 277C1, 288C1, 296A

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

6. The window period for filing applications for Channel 296A at Idaho Falls,, Idaho, will open on July 7, 1997 and close on August 7, 1997.

7. For further information concerning the above, contact Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 296A at Idaho Falls, Idaho, should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

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