

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

MM Docket No. 88-128

In the Matter of

Amendment of Section 73.202(b), RM-6168
Table of Allotments,
FM Broadcast Stations.
(Bastrop, Louisiana)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 21, 1988; Released: January 30, 1989

By the Deputy Chief, Policy and Rules Division:

1. Before the Commission for consideration is the *Notice of Proposed Rule Making*, 3 FCC Rcd 1944 (1988), issued at the request of Hagan Broadcasting, Inc. (petitioner), licensee of Station KMYQ-FM, Channel 261A, Bastrop, Louisiana, proposing the substitution of Channel 261C2 for Channel 261A at Bastrop. The *Notice* also proposed the modification of the station's license to specify operation on the higher class channel. Petitioner filed supporting comments restating its intention to upgrade the facilities of Station KMYQ-FM, if permitted.

2. We believe the public interest would be served by the substitution of Channel 261C2 for Channel 261A at Bastrop, Louisiana, since it could provide that community with its second wide coverage area FM service. The channel substitution can be made consistent with the Commission's minimum distance separation requirement with a site restriction of 10.4 kilometers (6.5 miles) south of the city.¹ The restriction is necessary in order to avoid a short spacing to Channel 260A (vacant and unapplied for) at Monticello, Arkansas.

3. As requested, we have authorized the modification of Station KMYQ-FM to specify operation on Channel 261C2 in accordance with the provisions of Section 1.420(g) of the Commission's Rules.

4. 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 16, 1989**, 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.
Bastrop, Louisiana	230C2, 261C2, 277A

5. IT IS FURTHER ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Hagan Broadcasting, Inc., for Station KMYQ-FM, Bastrop, Louisiana, IS MODIFIED

effective **March 16, 1989**, to specify operation on Channel 261C2 in lieu of Channel 261A, 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.

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

7. For further information concerning this proceeding, contact Patricia Rawlings, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Steve Kaminer
Deputy Chief
Policy and Rules Division
Mass Media Bureau

FOOTNOTE

¹ The restricted site coordinates are 32-41-28 and 91-56-55. The restriction requires the relocation of the Station KMYQ-FM's current transmitter site. Petitioner has indicated its willingness to relocate its current transmitter site.