

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

MM Docket No. 88-333

In the Matter of

Amendment of Section 73.202(b), RM-6325
Table of Allotments,
FM Broadcast Stations.
(Sartell, Minnesota)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: January 19, 1989; Released: February 8, 1989

By the Deputy Chief, Policy and Rules Division:

1. The Commission herein considers the *Notice of Proposed Rule Making*, 3 FCC Rcd 4283 (1988), issued in response to a petition filed by Sartell FM, Inc. (petitioner), permittee of Channel 241A, Sartell, Minnesota. Petitioner proposes the substitution of FM Channel 244C2 for Channel 241A, Sartell, Minnesota, and modification of its permit to specify the higher class channel. Petitioner filed supporting comments in which it reaffirmed its interest in the channel. No other comments were received.

2. We believe the public interest would be served by the substitution of Channel 244C2 for Channel 241A at Sartell, Minnesota, since it could provide the community with its first wide coverage area FM service. As indicated in the *Notice*, Channel 244C2 can be allotted to Sartell in compliance with the minimum distance separation requirements of the Commission's Rules.¹ We have authorized a modification of petitioner's construction permit for Channel 241A, Sartell, Minnesota, to specify operation on Channel 244C2 in accordance with Section 1.420(g) of the Commission's Rules. Since Sartell is located within 320 kilometers of the U.S.-Canadian border, concurrence of the Canadian government has been obtained for this allotment.

3. 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 March 27, 1989, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, to read as follows:

Community	Channel No.
Sartell, Minnesota	244C2

4. IT IS FURTHER ORDERED, pursuant to the authority contained in Section 316 of the Communications Act of 1934, as amended, that the construction permit for

Channel 241A, Sartell, Minnesota, IS MODIFIED to specify operation on Channel 244C2 in lieu of Channel 241A, subject to the following conditions:

(a) Within 90 days of the effective date of this *Order*, the licensee shall file with the Commission a minor change application for 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.

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

6. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Steve Kaminer
Deputy Chief, Policy and Rules Division
Mass Media Bureau

FOOTNOTE

¹ The coordinates for Channel 244C2 at Sartell are 45-44-47 and 94-03-48.