

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

6. For further information concerning this proceeding, contact Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

MM Docket No. 95-79

In the Matter of

Amendment of Section 73.202(b), RM-8620
Table of Allotments,
FM Broadcast Stations.
(De Kalb, Mississippi)

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

REPORT AND ORDER
(Proceeding Terminated)

Adopted: January 16, 1996; Released: January 30, 1996

By the Chief, Allocations Branch:

1. At the request of Choctaw Broadcasting ("petitioner"), the Commission has before it the *Notice of Proposed Rule Making*, 10 FCC Rcd 615 (1995), proposing the allotment of Channel 289C2 To De Kalb, as the community's first local aural transmission service. Petitioner filed comments reiterating its intention to apply for Channel 289C2, if allotted.¹ R&R Broadcasting ("R&R"), permittee of Station WLTD(FM), Pickens, Mississippi, filed comments.²

2. We believe the public interest would be served by the allotment of Channel 289C2 to De Kalb since it could provide the community with its first local FM service. Channel 289C2 can be allotted to De Kalb in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction.³

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 15, 1996, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

City	Channel No.
De Kalb, Mississippi	289C2

4. The window period for filing applications will open on March 15, 1996, and close on April 15, 1996.

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

¹ As stated in the *Notice*, petitioner's request, although signed, failed to include an affidavit verifying statements contained in his petition, as required by Section 1.52 of the Commission's Rules. Petitioner was requested to correct the deficiency in his responsive comments, and has complied accordingly by filing an affidavit.

² R&R notes that its application for a new site for Station WLTD(FM) is short-spaced to the proposed reference coordinates of Channel 289C2 at DeKalb, Mississippi. However, R&R

proposes to protect the reference site of Channel 289C2 pursuant to the contour protection provisions of Section 73.215 of the Commission's Rules.

³ The coordinates for Channel 289C2 at De Kalb are North Latitude 32-46-03 and West Longitude 88-39-03. We have confirmed that the construction permit for Station WLTD(FM), Channel 290C2, Pickens, Mississippi, was granted as a contour protection application pursuant to Section 73.215 of the Commission's Rules with respect to Channel 289C2 at De Kalb.