

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

MM Docket No. 89-509

In the Matter of

Amendment of Section 73.202(b), RM-6816
Table of Allotments.
FM Broadcast Stations.
(Denison-Sherman, Texas)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 24, 1990; Released: November 13, 1990

By the Assistant Chief, Policy and Rules Division:

1. The Commission has before it for consideration the *Notice of Proposed Rule Making*, 4 FCC Rcd 8147 (1989), issued in response to a petition filed by Transcontinental Broadcasting Company, Inc. (petitioner), proposing the substitution of FM Channel 269C3 for Channel 269A at Denison-Sherman, Texas. Petitioner also requested modification of its license for Station KDSQ(FM), Channel 269A, to specify operation on the new 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 269C3 for Channel 269A at Denison-Sherman, Texas, since it would provide an expanded FM service to the area. The substitution can be made in compliance with the minimum distance separation requirements of Section 73.207 of the Commission's Rules at the site specified by the petitioner.¹ In addition, we are modifying the petitioner's license for Station KDSQ(FM), Denison-Sherman, Texas, to specify operation on Channel 269C3 in accordance with Section 1.420(g) of the Commission's Rules.

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 **December 28, 1990**, 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.
Denison-Sherman, Texas	269C3

4. IT IS FURTHER ORDERED, pursuant to the authority contained in Section 316 of the Communications Act of 1934, as amended, that the license of Station KDSQ(FM), Denison-Sherman, Texas, IS MODIFIED to specify operation on Channel 269C3, 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 Andrew J. Rhodes, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Beverly McKittrick
Assistant Chief
Policy and Rules Division
Mass Media Bureau

FOOTNOTE

¹ The coordinates for Channel 269C3 are 33-41-24 and 96-40-28, which is located 13.6 kilometers (8.4 miles) southwest of Denison and 8.5 kilometers (5.3 miles) northwest of Sherman. Because the petition which resulted in this allotment was filed prior to October 2, 1989, the licensee may avail itself of the provisions of Section 73.213(c)(1) of the Commission's Rules. See 47 CFR § 73.213(c).