

PUBLIC NOTICE

Federal Communications Commission
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90331

NOTICE OF ACCEPTANCE FOR FILING OF DIGITAL TELEVISION BROADCAST STATION APPLICATION AND NOTICE OF PETITION TO DENY DEADLINE

REPORT NO. B-176

RELEASED: OCTOBER 26, 1998

CUT-OFF DATE: DECEMBER 7, 1998

NOTICE is hereby given that the application listed in this notice is the result of a settlement agreement among competing applications that is filed in accordance with Section 3002(a)(3) of the Balanced Budget Act of 1997, Pub. L. No. 105-33, 111 Stat. 251 (1997) and pursuant to Section 73.3525 of the Commission's rules. The application is hereby accepted for filing. The application as originally filed proposed analog channel 59 and requested a waiver of the freeze on the filing of television applications in certain markets. However, the application was amended on April 29, 1998, to specify DTV operations on channel 59, pursuant to paragraph 11 of the Commission's Memorandum Opinion and Order on Reconsideration of the Fifth Report & Order, FCC 98-23, released February 23, 1998. Additionally, since the application was mutually exclusive with other applications as of July 1, 1997, the application is considered to be "cut-off", and no application which would be in conflict with the application on this list will be accepted for filing. See First Report and Order in MM Docket 97-234, paragraphs 66-67, released August 18, 1998.

Petitions to deny the application listed below must be on file with the Commission not later than the close of business December 7, 1998.

STUART, FLDTV CH-59

GUENTER MARKSTEINER

ERP: 1000 KW;* HAAT: 81 METERS

UT (26-43-37 80-04-48)

ANTENNA SYSTEM: MIG. CORP., RU12 NRZ.743-10B4-32, M.5855L.9

*We note that applicants proposing to operate DTV stations on channel 59 are currently limited to 200 KW.