

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 02-3154, MM Docket No. 00-180, RM-9956]

**Digital Television Broadcast Service; Fort Myers, FL****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Fort Myers Broadcasting Company, substitutes DTV channel 9 for DTV channel 53 at Fort Myers. See 65 FR 59389, October 5, 2000. DTV channel 9 can be allotted to Fort Myers, Florida, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 26-48-01 N. and 81-45-47 W., with a power of 20, HAAT of 451 meters and with a DTV service population of 1134 thousand. With this action, this proceeding is terminated.

**DATES:** Effective January 6, 2003.**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 00-180, adopted November 14, 2002, and released November 20, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

**List of Subjects in 47 CFR Part 73**

Digital television broadcasting, Television.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.**§ 73.622 [Amended]**

2. Section 73.622(b), the Table of Digital Television Allotments under

Florida, is amended by removing DTV channel 53 and adding DTV channel 9 at Fort Myers.

Federal Communications Commission.

**Barbara A. Kreisman,**  
Chief, Video Division, Media Bureau.

[FR Doc. 02-29686 Filed 11-20-02; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 02-2815; MM Docket Nos. 01-263, 01-264, 01-265, 01-266, 01-267; RM Nos. 10281, 10282, 10283, 10284, 10285]

**Radio Broadcasting Services; Arkadelphia, Arkansas; Aspermont, Texas; Chino Valley, Arizona; Cotulla, Texas; Junction, TX****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** In this document, the Audio Division allots new channels to Arkadelphia, AR, Aspermont, TX, Chino Valley, AZ, Cotulla, TX and Junction, TX in a multiple docket Report and Order. At the request of Maurice Salsa, Channel 292A is allotted at Junction, Texas, as the community's second commercial FM transmission service. Channel 292A is allotted at Junction without a site restriction at coordinates 30-29-21 NL and 99-46-18 WL. Mexican concurrence has been received for this allotment. At the request of Charles Crawford, Channel 223A is allotted at Chino Valley, Arizona as the community's second commercial FM transmission service. Channel 223A is allotted at Chino Valley at a site 6 kilometers (3.7 miles) west of the community at coordinates 34-46-10 NL and 112-31-03 WL. Mexican concurrence has been requested for this allotment. At the request of Charles Crawford, Channel 228A is allotted at Arkadelphia, Arkansas, as the community's second commercial FM transmission service. Channel 228A is allotted at Arkadelphia with a site restriction of 11.5 kilometers (7.2 miles) west of the community at coordinates 34-07-10 NL and 93-10-43 WL. See **SUPPLEMENTARY INFORMATION.**

**DATES:** Effective December 9, 2002.**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners, as follows: Maurice Salsa, 5616 Evergreen Valley Drive, Kingwood,

TX 77345 (petitioner for Junction, TX); Charles Crawford, 4553 Bordeaux Ave., Dallas, TX 75205 (petitioner for Chino Valley, AZ and Arkadelphia, AR); Jeraldine Anderson, 1702 Cypress Drive, Irving, TX 75061 (petitioner for Aspermont, TX and Cotulla, TX).

**FOR FURTHER INFORMATION CONTACT:**

Victoria M. McCauley, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket Nos. 01-263, 01-264, 01-265, 01-266, and 01-267, adopted October 16, 2002, and released October 25, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

At the request of Jeraldine Anderson, Channel 226C2 is allotted at Aspermont, Texas, as the community's first local aural transmission service. Channel 226C2 is allotted at Aspermont with a site restriction of 6.7 kilometers (4.1 miles) at coordinates 33-11-27 NL and 100-14-50 WL.

At the request of Jeraldine Anderson, Channel 289A is allotted at Cotulla, Texas, as the community's second local aural service. Channel 289A is allotted at Cotulla with a site restriction of 5.0 kilometers (3.1 miles) southwest of the community at coordinates 28-24-57 NL and 99-16-49 WL. Mexican concurrence has been received for this allotment.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR § 1.1204(b) for rules governing permissible *ex parte* contacts.

**List of Subjects in 47 CFR Part 73**

Radio, Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows: