

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

In the Matter of
Amendment of Section 73.622(i),
Final DTV Table of Allotments,
Television Broadcast Stations.
(Ann Arbor, Michigan)
MB Docket No. 08-101
RM-11438

ORDER
(Proceeding Terminated)

Adopted: March 18, 2009

Released: March 20, 2009

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking issued in response to a petition for rulemaking filed by Paxson Communications License Company, LLC ("Paxson"), the licensee of WPXD(TV), channel 13 and WPXD-DT, pre-transition digital television channel 33, and the permittee of post-transition digital television channel 31, Ann Arbor, Michigan, requesting the substitution of channel 19 for post-transition digital television channel 31 at Ann Arbor.

2. The Commission is required to coordinate and seek concurrence with the Canadian government for all proposed post-transition digital television facilities that are located within 360 km of the United States/Canadian border. Paxson's proposed WPXD-DT post-transition facility is located 27.3 km from the United States/ Canadian border. The Canadian government has indicated to the Commission that Paxson's WPXD-DT proposed facility is not acceptable because it will interfere with Canadian digital television post-transition channel 19, London, Ontario.

3. We therefore believe, for the reason set forth, that we cannot approve Paxson's rulemaking petition.

4. Accordingly, IT IS ORDERED that the Petition for Rulemaking, filed by Paxson Communications License Company, LLC, to substitute digital television channel 19 for post-transition digital television channel 31 at Ann Arbor, Michigan IS HEREBY DISMISSED.

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

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau

1 Ann Arbor, Michigan, 23 FCC Red 14568 (Vid. Div. 2008).

2 FCC File No. BPRM-20080619ALV.