

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

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MB Docket No. 02-280
Table of Allotments,)	RM-10558
Television Broadcast Stations.)	
(Blanco, Texas))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 12, 2002

Released: December 19, 2002

By the Chief, Video Division:

1. At the request of Univision Television Group (“Univision”), an applicant for NTSC channel 52 at Blanco, Texas, the Commission has before it the Notice of Proposed Rule Making, 17 FCC Rcd 17166, proposing the substitution of channel 17 for channel 52 at Blanco. Univision filed comments restating its interest in applying for channel 17, if allotted. No other comments were filed.

2. Univision is the winning bidder in the FCC Auction No. 80 (2000) for NTSC channel 52 at Blanco, Texas. The *Notice* observed that after Univision became the winning bidder, the Commission adopted a Report and Order reallocating TV channels 52-59 for use by fixed and mobile services.¹ In response to this action, Univision filed a petition for reconsideration requesting that the Commission exclude it from the category of applicants required to modify their requests to specify an in-core channel or DTV operation, or face dismissal. In the alternative, Univision requested that the Commission grant its pending petition for rule making proposing the substitution of channel 17 for channel 52.

3. The Commission denied Univision petition for reconsideration, but directed the Media Bureau to work with Univision to expedite its petition for rule making. However, Univision proposal to substitute channel 17 for channel 52 did not comply with the spacing requirements to land mobile channel 17 at Houston, Texas. Nevertheless, the Commission also directed the Media

¹ Reallocation and Service Rules for 698-746 MHz Spectrum Band (Television Channels 52-59), GN Docket no. 01-74, *Report and Order*, 17 FCC Rcd 1022 (2002) released January 18, 2002, (“*Lower 700 MHz*”); and see also *Memorandum Opinion and Order*, 17 FCC 11613 (2002), released June 14, 2002 (“*Lower 700 MHz MO&O*”). Under the new reallocation plan, the Commission stated that it would dismiss all pending petitions for new NTSC channel allotments in the lower 70 MHz. The Commission also opened a 45-day window for applicants with applications for construction permits to request a change in channel for their pending applications or petitions for rule making. See *Mass Media Bureau Announces Filing Opportunity for Certain Pending Requests for New NTSC Television Stations on Channels 52-59*, released February 6, 2002, DA 02-270.

Bureau to consider waiver of the applicable land mobile distance separation criterion for the Univision allotment proposal and ordered that such waiver relief, if granted, should be conditioned on Univision accepting interference from land mobile licensees and Univision limiting interference to land mobile licensees in Houston.²

4. A staff engineering analysis indicates that channel 17 can be allotted to Blanco, Texas, with a zero offset consistent with the minimum distance separation requirements of Sections 73.610 and 73.698 of the Commission Rules. The coordinates for channel 17 at Blanco are North Latitude 29-42-58 and West Longitude 98-30-39. Since the community of Blanco is located within 275 kilometers of the U.S.-Mexican border, concurrence from the Mexican government has been obtained for this allotment. Due to the short-spacing to land mobile channel 17 at Houston, Texas, Univision use of channel 17 at Blanco includes the following condition: Univision must agree to (1) accept interference from current and future 488-494 MHz land mobile facilities operating from base stations located within 50 miles of the Houston reference point and mobile units operating within 30 miles of their associated base stations; and (2) not radiate a signal in the Houston area where land mobile operation is permitted with a field strength greater than that permitted by a full-power TV station that meets the co-channel distance separation criteria (341.1 km).

5. 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 February 3, 2002, the TV Table of Allotments, Section 73.606(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Blanco, Texas	17

6. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Univision Television Group, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying TV Channel 17 in lieu of TV Channel 52.

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

8. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division

² Lower 700 MHz MO&O, at 22 § 47.

Media Bureau