

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

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 03-131
FM Table of Allotments,)	RM-10702
FM Broadcast Stations.)	
(Quartzsite, Arizona))	
)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: September 3, 2003

Released: September 5, 2003

By the Assistant Chief, Audio Division:

1. The Audio Division has before it a *Notice of Proposed Rulemaking*¹ issued at the request of Dana J. Puopolo (“Puopolo”) requesting the allotment of Channel 290C2 at Quartzsite, Arizona. Puopolo filed comments reiterating his interest in applying for Channel 290C2 at Quartzsite. No other comments were filed in response to the *Notice*.

2. We believe that the public interest would be served by the allotment of Channel 290C2 at Quartzsite, Arizona, as it will provide the community with additional local broadcast service. As stated in the *Notice*, Quartzsite is an incorporated community located in Eastern Arizona with a population of over 3,300 people. In comments, Puopolo states that an FM station operating on Channel 290C2 at Quartzsite would also serve thousands of travelers that use Interstate 10 and U.S. Highway 95 on a daily commute as well as the residents of the community. Channel 290C2 can be allotted to Quartzsite, Arizona, consistent with the minimum distance separation requirements of the Commission’s Rules with a site restriction 4.5 kilometers (2.8 miles) northeast of the community at coordinates 33-41-51 and 114-12-10. Although Mexican concurrence has been requested for the allotment of Channel 290C2 at Quartzsite, notification has not been received. Therefore, operation with the facilities specified for Channel 290C2 at Quartzsite is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement or if specifically objected to by Mexico.

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 0.61, 0.204(b) and 0.283 of the Commission’s Rules, IT IS ORDERED That effective October 20, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission’s Rules, IS AMENDED, with respect to the community listed below, as follows:

<u>Community</u>	<u>Channel</u>
Quartzsite, Arizona	232A, 275C3, 290C2

¹ See *Quartzsite, Arizona*, 18 FCC Rcd 11408 (M.B. 2003).

4. A filing window for Channel 290C2 will not be opened at this time. Instead the issue of opening this allotment for auction will be addressed by the Commission in a subsequent *Order*.

5. For further information regarding the proceeding listed above, contact Kathleen Scheuerle, (202)418-2180.

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

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau