

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

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	
Table of Allotments,	)	MB Docket No. 05-33
FM Broadcast Stations.	)	RM-10756
(Cuney, Texas)	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: February 15, 2006**

**Released: February 17, 2006**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division considers herein the *Notice of Proposed Rule Making* (“*Notice*”)<sup>1</sup> issued at the request of Charles Crawford (“*Petitioner*”), requesting the allotment of Channel 259A at Cuney, Texas, as its first local service. *Petitioner* filed comments. No counterproposal or other comments were received in this proceeding.

2. **Background.** The *Notice* proposed the allotment of Channel 259A at Cuney, Texas, as its first local service. As stated in the *Notice*, Cuney is an incorporated community with a population of 145 people. Cuney has its own mayor, post office, police department, several churches and eight local businesses to serve the community. *Petitioner* filed comments reiterating its expression of interest in Channel 259A at Cuney, if allotted.

3. **Discussion.** We find that the public interest would be served by allotting Channel 259A at Cuney, Texas, as its first local service. Channel 259A can be allotted to Cuney consistent with the minimum distance separation requirements of the Commission’s Rules with a site restriction 6.8 kilometers (4.3 miles) southeast of the community, using coordinates 31-58-52 and 95-22-24.

4. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

5. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective April 3, 2006, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Cuney, Texas	259A

<sup>1</sup> *Cuney, Texas*, 20 FCC Rcd 2215 (MB 2005).

6. The window period for filing applications for Channel 259A at Cuney, Texas will not be opened at this time. Instead, the issue of opening the allotment for auction will be addressed by the Commission in a subsequent order.

7. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

8. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

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