

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

In the matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 07-79
FM Table of Allotments,)	RM-11362
FM Broadcast Stations.)	
(Dinosaur, Colorado))	
)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: August 8, 2007

Released: August 10, 2007

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rulemaking*¹ issued at the request of Cumulus Licensing LLC (“Petitioner”), proposing the allotment of Channel 262C0 at Dinosaur, Colorado as the community’s first local service.² Petitioner filed comments reiterating its continuing interest in pursuing the proposed allotment and its intention to apply for a construction permit. No other comments or counterproposals were received.

2. We find that the public interest would be served by allotting Channel 262C0 at Dinosaur. Channel 262C0 can be allotted at Dinosaur consistent with the Commission’s minimum distance separation requirements at 40-03-26 North Latitude and 108-39-46 West Longitude with a site restriction of 36.4 kilometers (22.6 miles) southeast of the community’s reference.

3. 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, September 24, 2007, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED for the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Dinosaur, Colorado	262C0

¹ See *Dinosaur, Colorado*, Notice of Proposed Rule Making, 20 FCC Rcd 7587 (MB 2007) (“Notice”). Petitioner concurrently filed a FCC Form 301 new station application (File No. BNPH-20070119ADE) for Channel 262C0 at Dinosaur, and was required to submit a filing fee pursuant to *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, Report and Order, 21 FCC Rcd 14212 (2006).

² As stated in the *Notice*, Petitioner filed the instant petition for rule making to facilitate a FCC Form 301 minor change application to change the channel and the community of license of its unbuild station from Channel 266C0 at Dinosaur to Channel 267C3 at Parachute, Colorado (File No. BMPH-20070119ADH). The application will be granted separately.

4. A filing window period for Channel 262C0 at Dinosaur, Colorado 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. 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. Section 801(a)(1)(A).

6. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

7. For further information concerning this proceeding, contact Helen McLean, Media Bureau, (202) 418-2738.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau