

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

In the Matter of)	
)	
Amendment of Section 73.622(i),)	MB Docket No. 21-56
Post-Transition Table of DTV Allotments,)	RM-11811
Television Broadcast Stations)	
(Jonesboro, Arkansas))	

REPORT AND ORDER

(Proceeding Terminated)

Adopted: May 20, 2021

Released: May 20, 2021

By the Chief, Video Division, Media Bureau:

1. The Video Division, Media Bureau (Bureau), has before it a Notice of Proposed Rulemaking¹ issued in response to a Petition for Rulemaking filed by Gray Television Licensee, LLC (Gray), the licensee of KAIT (ABC), channel 8, Jonesboro, Arkansas. Gray has requested the substitution of UHF channel 27 for VHF channel 8 in the DTV Table of Allotments.²

2. Gray filed comments in support of the petition, as required by the Commission’s rules,³ reaffirming its commitment to apply for channel 27. No other comments were filed. We believe the public interest would be served by substituting channel 27 for channel 8 at Jonesboro, Arkansas for the reasons set forth below. Gray states that the Commission has recognized that VHF channels have certain propagation characteristics which may cause reception issues for some viewers, and that the reception of VHF signals requires larger antennas relative to UHF channels.⁴ Moreover, according to Gray, many viewers are unable to receive KAIT’s signal.⁵ Gray further states that while there is small terrain limited predicted loss area, the viewers will continue to be well served by at least five other stations and receive ABC network service from WATN-TV, Memphis, Tennessee.⁶

3. As proposed, channel 27 can be substituted for channel 8 at Jonesboro, Arkansas, in compliance with the principal community coverage requirements of section 73.625(a) of the Commission’s rules (rules),⁷ at coordinates 35-53-22.0 N and 90-56-08.0 W. In addition, we find that this

¹Amendment of Section 73.73.622(i), Post-Transition Table of DTV Allotments, Television Stations (Jonesboro, Arkansas), MB Docket No. 21-56, Notice of Proposed Rulemaking, 36 FCC Rcd 1590 (Vid. Div. 2021) (NPRM).

² As noted in the NPRM, on April 13, 2017, the Commission completed the incentive auction and broadcast television spectrum repacking authorized by the Spectrum Act, and the post-incentive auction transition period ended on July 13, 2020. The Bureau will amend the rules to reflect all new full power channel assignments in a revised Table of Allotments, but because the Table has not yet been amended, the Bureau has continued to refer to the Post-Transition Table of DTV Allotments, 47 CFR § 73.622(i) (2018), for the purpose of this proceeding. See NPRM, 36 FCC Rcd at 1590, n.2.

³ 47 CFR §§ 1.415, 1.419; see also Buffalo, Iola, Normangee, and Madisonville, Texas, MB Docket No. 07-729, Report and Order, 24 FCC Rcd 8192, 8194, para. 9 (Aud. Div. 2009).

⁴ NPRM, 36 FCC Rcd at 1590, para. 2.

⁵ Id.

⁶ Id. at 1590-91, para. 2.

⁷ 47 CFR § 73.625(a).

channel change meets the technical requirements set forth in sections 73.616 and 73.623 of the rules with the following specifications:⁸

<u>City and State</u>	<u>DTV Channel</u>	<u>DTV Power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop.</u>
Jonesboro, Arkansas	27	1000	527.4	605,399

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to section 553(d)(3) of the Administrative Procedure Act.⁹ An expedited effective date is necessary in this case to ensure that KAIT can operate with improved service to its viewers as quickly as possible.

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, 47 U.S.C. §§ 154(i), 155(c)(1), 303(g), (r), and 307(b), and sections 0.61, 0.204(b) and 0.283 of the Commission's rules, 47 CFR §§ 0.61, 0.204(b), and 0.283, **IT IS ORDERED**, That effective immediately upon the date of publication in the Federal Register, the DTV Table of Allotments, section 73.622(i) of the Commission's rules, 47 CFR § 73.622(i), **IS AMENDED**, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Jonesboro, Arkansas	*20, 27, 48

6. **IT IS FURTHER ORDERED**, That within 30 days of the effective date of this Order, Gray Television Licensee, LLC shall submit to the Commission a minor change application for a construction permit (Form 2100, Schedule A) specifying channel 27 in lieu of channel 8.

7. **IT IS FURTHER ORDERED**, That pursuant to section 801(a)(1)(A) of the Congressional Review Act, 5 U.S.C. § 801(a)(1)(A), the Commission **SHALL SEND** a copy of the Order to Congress and to the Government Accountability Office.

8. **IT IS FURTHER ORDERED**, That should no petitions for reconsideration or petitions for judicial review be timely filed, MB Docket No. 21-56 and RM-11811 **SHALL BE TERMINATED** and its docket closed.

9. For further information concerning the proceeding listed above, contact Joyce L. Bernstein, Video Division, Media Bureau, (202) 418-1647, Joyce.Bernstein@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau

⁸ 47 CFR §§ 73.616, 73.623.

⁹ 5 U.S.C. § 553(d)(3).