

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

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 01-56
Table of Allotments,)	RM-10033
Digital Television Broadcast Stations.)	
(Huntington, West Virginia))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: May 3, 2002

Released: May 9, 2002

By the Chief, Video Division:

1. At the request of Gateway Communications, Inc. ("Gateway")¹, licensee of station WOWK-TV, NTSC channel 13, Huntington, West Virginia, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 4476 (2001), proposing the substitution of DTV channel 47 for station WOWK-TV's assigned DTV channel 54. SJL filed comments stating its continuing interest in the proposed channel substitution at Huntington. No other comments were filed.

2. We believe the public interest would be served by allotting DTV channel 47 to Huntington since it will permit station WOWK-TV to operate on a core channel and construct only one digital transmission facility. DTV channel 47 can be allotted to Huntington, West Virginia, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates 38-30-21 N. and 82-12-33 W. Since the community of Huntington is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government has been obtained for this allotment. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WOWK-TV with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
WVA Huntington	47	895	396	1063

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 Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective June 24, 2002, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the

¹ SJL Northeast License Subsidiary, LLC ("SJL"), is now the licensee of station WOWK-TV pursuant to the Commission grant of the assignment of license (File No. BALCT-20000824ABA).

community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Huntington, West Virginia	23, *34c, 47

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, SJL Northeast License Subsidiary, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 47 in lieu of DTV Channel 54 for station WOWK-TV.

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

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

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau