

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

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 99-269
Table of Allotments,)	RM-9698
Digital Television Broadcast Stations.)	
(Salinas, California))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: May 24, 2001

Released: May 25, 2001

By the Chief, Video Services Division:

1. At the request of Hearst-Argyle Stations, Inc. (Hearst-Argyle"), licensee of station KSBW(TV), NTSC channel 8, Salinas, California, the Commission has before it the Notice of Proposed Rule Making, 14 FCC Rcd 13299 (1999), proposing the substitution of DTV channel 10 for station KSBW(TV)'s assigned DTV channel 43. Hearst-Argyle filed comments reiterating its expression of interest in applying for DTV channel 10. KNTV License, Inc. ("KNTV"), licensee of station KNTV(TV), NTSC channel 11, San Jose, California also filed comments.

2. In its comments, KNTV states that it does not object to Hearst-Argyle's proposal but, notes that it has filed an application requesting authorization to increase station KNTV(TV) effective radiated power from 79.4 kW to 181.5 kW. According to KNTV, the proposed power increase represents the maximum allowable power at station KNTV(TV)'s effective power tower height of 844 meters. KNTV contends that the Commission must take into account the technical changes requested in station KNTV(TV)'s pending minor modification application and ensure that the new KSBW-DT terrain-limited, interference-free baseline population reflects the higher power operation of station KNTV(TV)'s modified facilities. We have review the technical parameters of the Hearst-Argyle's proposal and KNTV's modification applications and conclude that no impermissible interference would result to the proposed modified KNTV(TV) facility.

3. Base upon our review of the record, we believe the public interest would be served by substituting DTV channel 10 for DTV channel 43 since it could enable station KSBW(TV) to provide service to a greater number of people, while reducing some of Hearst-Argyle's initial capital cost. DTV channel 10 can be allotted to Salinas, California, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (36-45-23 N. and 121-30-05 W.). 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 KSBW-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>
CA Salinas	10	24.2	692	1848

4. 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 July 9, 2001, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Salinas, California	10, 13

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Hearst-Argyle Stations, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 10 in lieu of DTV Channel 43 for station KSBW-TV.

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

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

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
 Chief, Video Services Division
 Mass Media Bureau