

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 99-223
Table of Allotments,)	RM-9604
FM Broadcast Stations.)	
(Leeds, Utah))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 21, 2000

Released: June 30, 2000

By the Chief, Allocations Branch:

1. In response to a petition filed by Mountain West Broadcasting (“Mountain West”), the Commission has before it for consideration the Notice of Proposed Rule Making, 14 FCC Rcd 9365 (1999), requesting the allotment of Channel 287C2 at Leeds, Utah. Mountain West filed comments in which it reaffirmed its interest in Channel 287C2 at Leeds. No other comments were received in response to the Notice.

2. In response to Mountain West’s request, a Notice was issued proposing the allotment of Channel 287C2 at Leeds. The Notice pointed out that Leeds is a an incorporated community located in Washington County with a population of 254 people according to the 1990 U.S. Census. Leeds has its own post office and zip code (84746). Mountain West was requested to provide additional information demonstrating community status for Leeds for allotment purposes. In comments, Mountain West did commit to constructing a station in Leeds and by reference, resubmitted the facts and comments presented in the original petition. Mountain West stated that Leeds is incorporated, has its own post office and zip code, several retail businesses, a church and a convenience store.

3. Based on the totality of the evidence submitted by Mountain West, we believe it has failed to establish that Leeds qualifies as a community for allotment purposes and therefore it would not serve the public interest to allot a channel. Mountain West neglected to provide any criteria supporting community status other than to state that Leeds is incorporated has a post office and zip code along with several retail businesses and a church. The Commission has, in past cases, rejected claims of community status where a connection has not been shown between political, social and commercial organizations and the community in question. Although Leeds appears to have some of the elements of a community, we believe that the record in this proceeding is insufficient to find that Leeds is a

community for allotment purposes.¹ Therefore, we will not allot Channel 287C2 to Leeds, Utah.

4. IT IS FURTHER ORDERED, That the Petition for Rule Making filed by Mountain West Broadcasting to allot Channel 278C2 to Leeds, Utah, IS DENIED.

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

6. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

¹ Mountain West could have provided the following type of evidence which supports community status such as the names of any businesses which contain "Leeds" in their names and have Leeds addresses, excerpts from a telephone book showing Leeds' separate telephone exchange, a list of industries, specific names and addresses of churches in Leeds, affidavits from residents of Leeds, name and address of the mayor or council members, evidence that rural residents view Leeds as a center for shopping and medical services, but failed to do so.