

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

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 01-79
Table of Allotments,) RM-10088
FM Broadcast Stations.)
(Lordsburg and Deming, New Mexico))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 6, 2001

Released: June 15, 2001

By the Chief, Allocations Branch:

1. Before the Commission for consideration is the Notice of Proposed Rule Making (“Notice”), (DA 01-745), released March 23, 2001, issued in response to a petition filed on behalf of Runnels Broadcasting System, LLC, (“petitioner”), licensee of Station KQTN, ¹ Lordsburg, New Mexico, proposing to change its community of license to Deming, New Mexico, and to modify its license accordingly pursuant to the provisions of Section 1.420(i) of the Commission’s Rules. Petitioner filed comments in response to the Notice withdrawing its interest in pursuing its proposal. No other comments were received.

2. As stated in the Appendix to the Notice, a showing of continuing interest is required before a channel will be allotted. Based upon the petitioner’s withdrawal of interest in pursuing its proposal, and in accordance with Commission policy, we will grant petitioner’s request to withdraw its rule making proposal.² See Alexander City, Alabama and West Point, Georgia, 9 FCC Rcd 2823 (1994).

3. Accordingly, IT IS ORDERED, That the petition for rule making filed on behalf of Runnels Broadcasting System, Inc. (RM-10088) seeking the reallocation of Channel 250C from Lordsburg to Deming, New Mexico, and modification of its license for Station KQTN accordingly, IS DISMISSED.

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

¹ Station KQTN, presently licensed on Channel 249A at Lordsburg, was modified to Channel 250C in MM Docket No. 84-460. A construction permit has been issued for Channel 250C at Lordsburg, which specifies less than full Class C facilities (*i.e.*, 20 kW at 612 meters HAAT (see File No. BPH-19961119MD)).

² As Deming is located within 320 kilometers (199 miles) of the U.S.-Mexico border, concurrence on the Mexican government to the proposed reallocation of Channel 250C to that community was requested. As a result of our action herein, the Commission will notify the Mexican government accordingly.

5. For further information concerning the above, contact Nancy Joyner, Mass Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

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