

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

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 99-225
Table of Allotments,) RM-9635
FM Broadcast Stations.)
(Saint Regis, Montana)

**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 the Battani Corporation (“Battani”), the Commission has before it for consideration the Notice of Proposed Rule Making, 14 FCC Rcd 9365 (1999), seeking the allotment of Channel 256C2 at Saint Regis, Montana, as that community's first local service. No other comments were received in response to the Notice.

2. The Notice questioned community status for Saint Regis and requested parties filing comments to provide additional information demonstrating that Saint Regis is a community for allotment purposes. In response, Battani states that Saint Regis, located in Mineral County, is a Census Designated Place with a 1990 Census population of 600 people but a Mineral County Official puts the current population at about 800. Battani further states that Saint Regis has its own local fire department, sewer district, post office, banks, a local library and a senior citizens center. According to Battani, Saint Regis has local churches, retail shops, restaurants, motels, gas stations, antique shops, real estate offices and its own school system. Battani points out that Saint Regis is a tourist and logging center which caters to tourists with a Visitor’s Center and multi-use community park.

3. We believe that the public interest would be served by the allotment of Channel 256C2 at Saint Regis, Montana, as it will provide the community with its first local broadcast service. Channel 256C2 can be allotted to Saint Regis in compliance with the Commission's minimum distance separation requirements with a site restriction 18.1 kilometers east of the community.¹ Canadian concurrence has been received for the allotment of Channel 256C2 at Saint Regis. In response to our concerns of community status, we believe that Battani has provided sufficient information to fulfill the Commission’s expectations for community status for allotment purposes. See Keansville, Florida, 10 FCC Rcd 9831 (1995). Saint Regis has a school and churches, its own post office and zip code, bank and some local businesses, fire department, municipal water system, senior citizens center, hotels, and a

¹ The coordinates for Channel 256C2 at Saint Regis are 47-15-56 NL and 114-51-29 WL.

local library.²

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 August 14, 2000, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, as follows:

Community	Channel Number
Saint Regis, Montana	256C2

5. A filing window for Channel 256C2 at Saint Regis, Montana, will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

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

7. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180. Questions related to the application filing process for Channel 256C2 at Saint Regis, Montana, should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

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

2 In addition, staff research found the following businesses have Saint Regis addresses: Super 8 Motel, Little River Motel, St. Regis Camp Motel, Koa Campgrounds, Campground St. Regis, Trestle Creek Golf Course, Mullan Trail Bank, Jasper's Restaurant, OK Café & Casino, Frosty Drive-In, St. Regis Travel Center, Stangs Grocery Store, St. Regis Custom Log Homes and St. Regis Realty.