

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

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. 00-93
Table of Allotments,	)	RM-9881
FM Broadcast Stations.	)	
(Lynn Haven, Florida)	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: August 9, 2000**

**Released: August 18, 2000**

By the Chief, Allocations Branch:

1. In response to a Petition for Rule Making filed by Beacon House Communications (“Beacon”), the Commission has before it for consideration the Notice of Proposed Rule Making, 15 FCC Rcd 9170 (2000), seeking the allotment of Channel 282A at Lynn Haven, Florida. Beacon filed comments reiterating its intention to apply for Channel 282A at Lynn Haven. No other comments were received in response to the Notice.

2. The Notice was issued in response to Beacon’s proposal to provide a first local broadcast service to the community of Lynn Haven, Florida. Due to the closeness of the proposed site for Channel 282A to the local airport, Beacon was requested to provide additional information concerning site availability with regard to the Panama City Airport. Beacon provided a technical exhibit demonstrating that an existing broadcast tower can be used as the transmitting site for Channel 282A at Lynn Haven. Beacon states that from this site, Channel 282A can be allotted to Lynn Haven in full compliance with the Commission’s spacing requirements while providing city grade service to the residents of Lynn Haven.<sup>1</sup>

3. We believe the public interest would be served by the allotment of an FM channel at Lynn Haven, Florida, providing the community with its first local broadcast service. We further believe that Beacon has provided sufficient information to conclude that a site exists to accommodate the allotment at Lynn Haven with respect to the Panama City Airport. Channel 282A can be allotted to Lynn Haven, Florida, in compliance with the Commission's spacing requirements with a site restriction 8.3 kilometers (5.2 miles) southwest of the community.<sup>2</sup> As stated in the Notice, Lynn Haven is located within the Urbanized Area of Panama City and the 70 dBu contour of Channel

<sup>1</sup> Beacon stated that it has obtained verbal assurance from the owner of the tower for placement of its antenna should it ultimately be granted a construction permit for Channel 282A.

<sup>2</sup> The coordinates for Channel 282A at Lynn Haven are 30-11-20 NL and 85-42-20 WL.

282A at the proposed site will cover the community of Lynn Haven and the Panama City Corporate Limits.<sup>3</sup>

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 October 2, 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
Lynn Haven, Florida	282A

5. A filing window for Channel 282A, Lynn Haven, Florida, will not be opened at this time. Instead, the issue of opening a filing window for the channel will be addressed by the Commission in a subsequent order.

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

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<sup>3</sup> Beacon provided information to demonstrate that Lynn Haven is independent of the Panama City Urbanized Area pursuant to the criteria set forth in Faye and Richard Tuck ("Tuck"), 3 FCC Rcd 5374 (1988). Beacon provided the following information: Lynn Haven is an incorporated town, has its own elected government comprised of a mayor and four commissioners, has its own fire and police departments, and provides water, garbage and sewer service to the residents of Lynn Haven. Lynn Haven has its own elementary school, the Mowat Middle School and Mosley High School. Further, many businesses and houses of worship use the town's name, such as: Lynn Haven Coin Laundry, Lynn Haven Child Care, Lynn Haven Seafood Market, Lynn Haven Florist, Lynn Haven Presbyterian church, Lynn Haven Methodist church and Lynn Haven Baptist Church. Finally, the U.S. Census Bureau has a separate town listing for Lynn Haven, indicating a 1990 population of 9,298 people. Commission research also found that Lynn Haven was chartered in 1913 with an area of 8.48 square miles, has its own post office and zip code (32444), medical facilities, Lynn Haven Library and a city recreation Department.

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 282A at Lynn Haven, Florida, 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