

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

In the Matter of	)	
	)	
Amendment of Section 73.622(i),	)	MB Docket No. 21-52
Post-Transition Table of DTV Allotments,	)	RM-11877
Television Broadcast Stations	)	
(Amarillo, Texas)	)	

**REPORT AND ORDER**

**(Proceeding Terminated)**

**Adopted: May 20, 2021**

**Released: May 20, 2021**

By the Chief, Video Division, Media Bureau:

1. The Video Division, Media Bureau (Bureau), has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a Petition for Rulemaking filed by KVII Licensee, LLC (Licensee), the licensee of KVII (ABC), channel 7, Amarillo, Texas. The Licensee has requested the substitution of UHF channel 20 for VHF channel 7 in the DTV Table of Allotments.<sup>2</sup>

2. The Licensee filed comments in support of the petition, as required by the Commission's rules,<sup>3</sup> reaffirming its commitment to apply for channel 20. No other comments were filed. We believe the public interest would be served by substituting channel 20 for channel 7 at Amarillo, Texas. The Licensee asserts that KVII, as a VHF channel station, has a long history of dealing with severe reception problems exacerbated by the analog to digital conversion. In addition, the Licensee states that the substitution of channel 20 for channel 7 will result in enhanced signal levels to a large percentage of the population within KVII's service area, without any predicted loss of coverage and with a predicted increase of persons in the KVII service area.<sup>4</sup>

3. As proposed, channel 20 can be substituted for channel 7 at Amarillo, Texas, in compliance with the principal community coverage requirements of section 73.625(a) of the Commission's rules (rules),<sup>5</sup> at coordinates 35-22-30.0 N and 101-52-58.0 W. In addition, we find that this channel change

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<sup>1</sup>Amendment of Section 73.73.622(i), *Post-Transition Table of DTV Allotments, Television Stations (Amarillo, Texas)*, Notice of Proposed Rulemaking, MB Docket No. 21-52, 36 FCC Rcd 1569 (Vid. Div. 2021) (*NPRM*).

<sup>2</sup> As noted in the *NPRM*, on April 13, 2017, the Commission completed the incentive auction and broadcast television spectrum repacking authorized by the Spectrum Act, and the post-incentive auction transition period ended on July 13, 2020. The Bureau will amend the rules to reflect all new full power channel assignments in a revised Table of Allotments, but because the Table has not yet been amended, the Bureau has continued to refer to the Post-Transition Table of DTV Allotments, 47 CFR § 73.622(i) (2018), for the purpose of this proceeding. See *NPRM*, 36 FCC Rcd at 1569, n.2.

<sup>3</sup> 47 CFR §§ 1.415, 1.419; see also *Buffalo, Iola, Normangee, and Madisonville, Texas*, MB Docket No. 07-729, Report and Order, 24 FCC Rcd 8192, 8194, para. 9 (Aud. Div. 2009).

<sup>4</sup> *NPRM*, 36 FCC Rcd at 1569-70, para. 2.

<sup>5</sup> 47 CFR § 73.625(a).

meets the technical requirements set forth in sections 73.616 and 73.623 of the rules with the following specifications:<sup>6</sup>

<u>City and State</u>	<u>DTV Channel</u>	<u>DTV Power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop.</u>
Amarillo, Texas	20	1000	519	328,920

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to section 553(d)(3) of the Administrative Procedure Act.<sup>7</sup> An expedited effective date is necessary in this case to ensure that KVII can operate with improved service to its viewers as quickly as possible.

5. 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, 47 U.S.C. §§ 154(i), 155(c)(1), 303(g), (r), and 307(b), and sections 0.61, 0.204(b) and 0.283 of the Commission's rules, 47 CFR §§ 0.61, 0.204(b), and 0.283, **IT IS ORDERED**, That effective immediately upon the date of publication in the Federal Register, the DTV Table of Allotments, section 73.622(i) of the Commission's rules, 47 CFR § 73.622(i), **IS AMENDED**, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
Amarillo, Texas	*9, 10, 15, 19, 20

6. **IT IS FURTHER ORDERED**, That within 30 days of the effective date of this Order, KVII Licensee, LLC shall submit to the Commission a minor change application for a construction permit (Form 2100, Schedule A) specifying channel 20 in lieu of channel 7.

7. **IT IS FURTHER ORDERED**, That pursuant to section 801(a)(1)(A) of the Congressional Review Act, 5 U.S.C. § 801(a)(1)(A), the Commission **SHALL SEND** a copy of the Order to Congress and to the Government Accountability Office.

8. **IT IS FURTHER ORDERED**, That should no petitions for reconsideration or petitions for judicial review be timely filed, MB Docket No. 21-52 and RM-11877 **SHALL BE TERMINATED** and its docket closed.

9. For further information concerning the proceeding listed above, contact Joyce L. Bernstein, Video Division, Media Bureau, (202) 418-1647, Joyce.Bernstein@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

<sup>6</sup> 47 CFR §§ 73.616, 73.623.

<sup>7</sup> 5 U.S.C. § 553(d)(3).