

ing the second VHF channel from Lincoln is warranted. This is especially true in view of our action making available a third commercial VHF channel to Omaha. Accordingly, the request of KFAB¹⁰⁰ for the assignment of Channel 12 to Omaha is denied.

Final Assignments and Reservations

614. The following assignments and reservations are adopted:

City	VHF Channel No.	UHF Channel No.
Lincoln, Nebraska	10,12	*18,24
Omaha, Nebraska	3,6,7	*16,22,28

FORT SMITH AND LITTLE ROCK, ARKANSAS

615. (a) Proposed Assignments and Reservations. In the Third Notice the Commission proposed the following assignments and reservations:

City	VHF Channel No.	UHF Channel No.
Fort Smith, Ark.	5	*16,22
Little Rock, Ark.	*2,4,11	17,23

(b) Census Data. Fort Smith has a population of 48,000.

(c) Counterproposal of Southwestern Publishing Company. Southwestern Publishing Company requested the additional assignment of VHF Channel 8 to Fort Smith, by making the following changes in the assignments proposed in the Third Notice:

City	Third Notice		Counterproposal	
	VHF Channel No.	UHF Channel No.	VHF Channel No.	UHF Channel No.
Fort Smith, Arkansas	5	*16,22	5,8†	*16,22
Muskogee, Oklahoma	8	39,*45	11†	39,*45

(d) Statement in Support of Southwestern Publishing Co. Counterproposal. Southwestern Publishing Company stated that its counterproposal complies with the Commission's standards; that a grant of the counterproposal would not result in a loss of service elsewhere; and that a station operating on Channel 8 at Fort Smith would provide an additional commercial television VHF service in Arkansas and Oklahoma. It was also urged that Arkansas with a population of 1,909,511 as compared to 2,233,351 in Oklahoma has an assigned only 38 channels as compared to 54 channels which have been assigned to Oklahoma.

(e) The counterproposal of Southwestern Publishing Company would result in the following co-channel assignment separations in Zone II:

Channel	Cities	Mileage
11	Muskogee, Okla.-Lawton, Okla.	188
11	Muskogee, Okla.-Little Rock, Ark.	188

(f) Conflicting Counterproposals to the Southwestern Publishing Company Counterproposal. The counterproposal of Southwestern Publishing Company is mutually exclusive with the counterproposals of All Oklahoma Broadcasting Company and Southwestern Sales Corp., Tulsa, and KTOK, Inc., Oklahoma City.

(g) Fort Smith Educational Reservation. The Fort Smith Public Schools, the Arkansas State Department of Education and the

¹⁰⁰KFAB has claimed the Commission is without power to reserve for educational use channels regularly allocated for general television service. It is not clear whether this objection was directed solely to the proposed reservation of Channel 7 or whether it was directed to the reservation of any channel at all. Insofar as it related to the latter, we have disposed of the contention for the reasons stated in the Commission's decision of July 13, 1951 (FCC 51-709).

JCET supported the reservation of UHF Channel 16 at Fort Smith for non-commercial educational use. No objection was filed to the reservation.

(h) Little Rock Educational Reservation. The JCET, Arkansas State Teachers College, Conway, Arkansas, and the Arkansas State Department of Education supported the reservation of VHF Channel 2 at Little Rock. No objection was made to the reservation.

Conclusions: Educational Reservations

616. In view of the foregoing the proposed reservations for Fort Smith and Little Rock are finalized.

Conclusions: Additional VHF Assignment to Fort Smith

617. A grant of the Southwestern Publishing Company counterproposal would result in a co-channel assignment separation of 188 miles between Muskogee and Little Rock. This separation would be in violation of the minimum co-channel assignment separation requirements in Zone II. The counterproposal must therefore be DENIED.¹⁰¹

Final Assignments and Reservations

618. The following assignments

and reservations are adopted:

City	VHF Channel No.	UHF Channel No.
Fort Smith, Ark.	5	*16,22
Little Rock, Ark.	*2,4,11	17,23

FAYETTEVILLE, ARKANSAS, EDUCATIONAL RESERVATION

619. Proposed Reservation. In the Third Notice the Commission proposed the reservation of Channel 13 in Fayetteville for non-commercial educational use as a primarily educational center. The JCET supported the reservation and stated that the University of Arkansas at Fayetteville was studying the financial, programming, legal, and engineering requirements necessary for the establishment and operation of a television station in cooperation

with other educational institutions in the area. The Arkansas State Department of Education also supported the reservation stating that it would cooperate with these educational institutions that would operate a non-commercial educational station in Fayetteville. No oppositions to the proposed reservations were filed.

Conclusions

620. In view of the foregoing, the reservation of Channel 13 in Fayetteville for non-commercial educational use is finalized.

¹⁰¹It would also create a 188-mile assignment separation between Muskogee and Lawton. This separation would be eliminated by our decision herein shifting Channel 11 from Lawton to Tulsa. In its place, however, would be a 44-mile separation between Tulsa and Muskogee on Channel 11.

NORMAN, MUSKOGEE, ENID AND STILLWATER, OKLAHOMA, EDUCATIONAL RESERVATIONS

621. (a) Proposed Assignments and Reservations. In the Third Notice the Commission proposed the following reservations for non-commercial educational use:

City	Channel
Norman, Oklahoma	*37
Muskogee, Oklahoma	*45
Enid, Oklahoma	*27

No channel was proposed to be reserved in Stillwater for non-commercial educational use.

(b) Norman. The University of Oklahoma, Norman, and the Oklahoma Baptist University, Shawnee, Oklahoma, and the JCET supported the reservation of UHF Channel 37 at Norman. The University of Oklahoma stated that it was a pioneer in the field of educational radio broadcasting; and that "a considerable lapse of time must pass before we are fully prepared not only to file for an educational television station but also plan for the installation and operation of such a station on a scale comparable with better commercial operations in this field." While desirous of a reserved VHF channel, the University requested that the reservation of UHF Channel 37 for Norman, Oklahoma, be made final. No objection was filed to the reservation of UHF Channel 37.

(c) Muskogee. Northeastern State College, Tahlequah, Oklahoma, and JCET supported the reservation of UHF Channel 45 at Muskogee, Oklahoma. No objection was filed to the proposed reservation.

(d) Enid. The JCET supported the reservation of UHF Channel 27 at Enid. No objection was filed to the proposed reservation.

(e) Stillwater. Stillwater is the site of the Oklahoma Agricultural and Mechanical College.

(f) In connection with the foregoing proposed reservation of assignments for non-commercial educational use and requests for such

City	Third Notice		Counterproposal	
	VHF Channel No.	UHF Channel No.	VHF Channel No.	UHF Channel No.
Muskogee, Oklahoma	8	39,*45	11†	39,*45
Oklahoma City, Okla.	7,9,*13	19,25	4†,7,*13	19,25
Tulsa, Oklahoma	2,*4,6	17,23	2,6,*9†	17,23

reservations, the JCET submitted a resolution of the State Legislature of Oklahoma urging the Commission to reserve such channels in the VHF and UHF as will adequately serve the needs of the State.

Conclusions

622. With respect to the request of the University of Oklahoma for the assignment of a VHF channel to Norman, we have examined the assignments in the area and find that it is impossible to grant the request consistent with the Table of Assignments adopted herein. We must, therefore, deny the request of the University of Oklahoma for the assignment and reservation of a VHF channel for non-commercial educational use in Norman. Accordingly, we are finalizing the reservation of UHF Channel 37 in Norman for non-commercial educational use. With respect to Stillwater, it is our view that an assignment should be made to that city for non-commercial educational use and we are assigning UHF Channel 69 to Stillwater for that purpose. Further, on the basis of the record, we

are finalizing the reservations proposed for Muskogee and Enid.

Final Reservations

623. The following reservations are adopted:

City	UHF Channel No.
Norman, Oklahoma	*37
Muskogee, Oklahoma	*45
Enid, Oklahoma	*27
Stillwater, Oklahoma	*69

OKLAHOMA CITY, TULSA AND LAWTON, OKLAHOMA

624. (a) Proposed Assignments and Reservations. In the Third Notice the Commission proposed the following assignments and reservations:

City	VHF Channel No.	UHF Channel No.
Oklahoma City, Oklahoma	7,9,*13	19,25
Tulsa, Oklahoma	2,*4,6	17,23
Lawton, Oklahoma	11	*28,34

(b) Census Data. The standard metropolitan area of Oklahoma City has a population of 325,000 and the City of Oklahoma City has a population of 244,000. The standard metropolitan area of Tulsa has a population of 252,000 and the City of Tulsa has a population of 183,000. Lawton has a population of 35,000.

(c) Existing Stations. WKY Radiophone Company is licensed for the operation of Station WKY-TV on Channel 4 in Oklahoma City. WKY Radiophone Company was ordered to show cause why the license of Station WKY-TV should not be changed to specify Channel 7 in lieu of Channel 4.¹⁰² Cameron Television, Inc., is licensed for the operation of Station KOTV on Channel 6 in Tulsa.

Oklahoma City

625. (a) Counterproposal of WKY Radiophone Company and Answer to Show Cause Order. WKY filed an opposition to the Commission's Order to Show Cause and a counterproposal which would permit it to continue operating on Channel 4. The counterproposal of WKY would require the following changes in assignments proposed in the Third Notice:

(b) Statement in Support of WKY Counterproposal. WKY Radiophone Company in its answer to the Commission's Order to Show Cause, and in support of its request, urged that its counterproposal meets the minimum mileage separations for both co-channel and adjacent channel operation with a minimum co-channel separation of 188 miles. It was further stated that there are approximately 92,000 VHF receivers in the WKY-TV service area at the present time, and it was contended

¹⁰²On June 25, 1951, WKY filed a petition requesting that the order to show cause be severed from this proceeding and that a formal hearing be held thereon. This petition was dismissed without prejudice as premature by Commission Order (FCC 51-696) of July 11, 1951. In its statement filed in this proceeding on October 15, 1951, WKY stated that in light of the evidence submitted therein the Commission is not satisfied that the operation of Station WKY-TV should remain on Channel 4, it "renews its Petition heretofore filed and requests the full, complete and fair hearing upon specified issues, to which it is entitled by law and the Commission's Rules and Regulations, prior to the final adoption of any rule or regulation which would preclude the continued operation of WKY-TV on Channel 4."