

disability community * * * Some stations have maintained that they do not have the capability of translating emergency information into Spanish. We also note that neither our rules nor the Analog Nightlight Act require emergency information in Spanish; rather the Analog Nightlight Act requires only that information concerning the DTV transition be provided in both English and Spanish. (See Section 2(b) of the Short-term Analog Flash and Emergency Readiness Act. We also urge stations to provide DTV transition information in other languages as appropriate for their viewers.)

9. We recognize the value and importance of ensuring that emergency information is available in Spanish for many viewers. However, we do not wish to prevent stations that can otherwise comply fully with the eight public interest conditions set forth in the *February 11 Public Notice* from doing so and proceeding with their analog termination, as provided in the *February 11 Public Notice*. Therefore, we will not require stations to provide emergency information in Spanish if the station does not otherwise provide Spanish language programming. We certainly encourage stations to broadcast emergency information in Spanish or other languages as needed by their viewers. The requirement for DTV transition information in Spanish remains in place.

C. Additional Information

10. For additional information, contact Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division, at (202) 418-7142.

III. Ordering Clauses

11. *It is ordered* that, pursuant to the authority contained in Sections 4, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154 and 303, and Sections 2 and 4(c) of the DTV Delay Act, DTV Delay Act 2, 4(c), this Report and Order is adopted.

12. *It is also ordered*, pursuant to the authority contained in Section 4(c) of the DTV Delay Act, DTV Delay Act Section 4(c), the actions herein are effective upon release of this Report and Order. As discussed above, the actions herein must be effective no later than February 17, 2009 at 11:59:59 pm to avoid a gap in analog broadcast service

that would harm viewers and directly contravene the purposes of the DTV Delay. The Commission is releasing this Report and Order on Friday, February 13, 2009, only two days after the DTV Delay Act's enactment on February 11, 2009, and the last business day before February 17, 2009 (Monday, February 16 is a federal holiday). As a result, we find that there is good cause to make the actions herein effective upon release of this Report and Order by the Commission (*i.e.*, February 13, 2009).

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

[FR Doc. E9-3600 Filed 2-17-09; 11:15 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 09-187; MB Docket No. 08-250; RM-11508]

Television Broadcasting Services; Santa Ana, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission grants a petition for rulemaking filed by Trinity Christian Center of Santa Ana, Inc., d/b/a Trinity Broadcasting Network, the licensee of station KTVN-DT, to substitute DTV channel 33 for its assigned post-transition DTV channel 23 at Santa Ana, California.

DATES: This rule is effective March 23, 2009.

FOR FURTHER INFORMATION CONTACT:

Adrienne Y. Denysyk, Media Bureau, (202) 418-1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MB Docket No. 08-250, adopted February 4, 2009, and released February 7, 2009. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This

document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to fcc504@fcc.gov or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Television, Television broadcasting.

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR Part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.622 [Amended]

■ 2. Section 73.622(i), the Post-Transition Table of DTV Allotments under California, is amended by adding DTV channel 33 and removing DTV channel 23 at Santa Ana.

Federal Communications Commission.

Clay C. Pendarvis,

Associate Chief, Video Division, Media Bureau.

[FR Doc. E9-3445 Filed 2-18-09; 8:45 am]

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