§ 73.607 Availability of channels.

(a) Applications may be filed to construct TV broadcast stations only on the channels designated in the Table of Allotments (§ 73.606(b)) and only in the communities listed therein. Applications which fail to comply with this requirement, whether or not accompanied by a petition to amend the Table, will not be accepted for filing. However, applications specifying channels which accord with publicly announced FCC Orders changing the Table of Allotments will be accepted for filing even though such applications are tendered before the effective dates of such channel changes.

(b) Notwithstanding paragraph (a) of this section, an application may be filed for a channel or community not listed in the TV Table of Allotments if it is consistent with the rules and policies established in the Third Report and Order in WT Docket 99-168 (FCC 01-25), adopted January 18, 2001. Where such a request is approved, the Media Bureau will change the Table of Allotments to reflect that approval.

§ 73.609 Zones.

(a) For the purpose of allotment and assignment, the United States is divided into three zones as follows:

(1) Zone I consists of that portion of the United States located within the confines of the following lines drawn on the U.S. Albers Equal Area Projection Map (based on standard parallels 29°12′ and 45°56′; North American datum):

- Beginning at the most easterly point on the State boundary line between North Carolina and Virginia; thence in a straight line to a point on the Virginia-West Virginia boundary line located at north latitude 37°49′ and west longitude 80°12′30″; thence westerly along the southern boundary lines of the States of West Virginia, Ohio, Indiana, and Illinois to a point at the junction of the Illinois, Kentucky, and Missouri State boundary lines; thence easterly along the northern State boundary line of Illinois to the 90th meridian; thence north along this meridian to the 43.5° parallel; thence east along this parallel to the United States-Canada border; thence southerly and following that border until it again intersects the 43.5° parallel; thence east along this parallel to the 71st meridian; thence in a straight line to the intersection of the 69th meridian and the 45th parallel; thence east along the 45th parallel to the Atlantic Ocean. When any of the above lines pass through a city, the city shall be considered to be located in Zone I. (See Figure 1 of § 73.699.)

(2) Zone II consists of that portion of the United States which is not located in either Zone I or Zone III, and Puerto