

ORIGINAL

Lyle R. Evans
Broadcast Consultant
1296 Marian Lane
Green Bay, WI 54304
(414) 494-6310

July 10'th, 1991

RECEIVED

JUL 15 1991

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, Northwest
Washington, D.C. 20054

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Antigo, Wisconsin
Petition for Rulemaking
Amendment of Section 73.202(b)
FM Broadcast Stations

Dear Secretary Searcy:

Transmitted herewith on behalf of my client, Nicolet Broadcasting, Inc., is a signed original and five copies of a Petition for Rulemaking and related Engineering statement.

This Petition requests an amendment to Section 73.202(b) of the Commission's Rules and Regulations to allot FM Channel 242C3 at Antigo, Wisconsin.

Kindly direct this correspondence for proper processing.

Thank you for your kind attention to my request.

Sincerely,



Lyle Robert Evans
Broadcast Consultant to:
Nicolet Broadcasting, Inc.

LRE: hs
ENC: Petition, Original and 5 Copies
CC: Mr. Roger L. Utnehmer

RECEIVED

JUL 15 1991

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20554

IN THE MATTER OF:)
AMENDMENT OF SECTION 73.202(B),) RM-
TABLE OF ALLOTMENTS,)
FM BROADCAST STATIONS,)
(ANTIGO, WISCONSIN))

TO: THE COMMISSION

PETITION FOR RULEMAKING

Nicolet Broadcasting, Inc., (Nicolet) hereby
Petitions the Federal Communications Commission in
Washington, D.C., amend the FM Table of Allotments, Section
73.202(b) of the Commission's Rules and Regulations in the
following manner:

<u>CITY:</u>	<u>EXISTING:</u>	<u>PROPOSED:</u>
Antigo, Wisconsin	287C1	287C1, 242C3

In support of this PETITION FOR RULEMAKING to
allot FM Channel 242C3 to Antigo, Wisconsin, Nicolet
Broadcasting, Inc., the Petitioner, respectfully submits the
Engineering Statement prepared by Lyle Robert Evans,
attached hereto as Appendix 1.

Inasmuch as Antigo, Wisconsin and vicinity shall
receive a second local FM broadcast transmission service,
significantly contributing to program diversity available

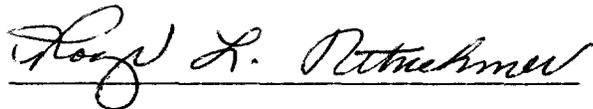
to area residents Petitioner (Nicolet) concludes its Proposed Rulemaking is in the public interest.

If the Commission goes forward to Amend Section 73.202(b) of the Rules and Regulations, to allot FM Channel 242C3 at Antigo, Wisconsin, as petitioned; Nicolet Broadcasting, Inc., shall immediately make Application to the Federal Communications Commission, on FCC Form 301, for a Construction Permit to activate Channel 242C3, as allotted at Antigo, Wisconsin.

Upon grant of such application by the Commission, Petitioner (Nicolet) shall promptly construct and license the permitted facility.

Respectfully submitted,

NICOLET BROADCASTING, INC.

A handwritten signature in cursive script, reading "Roger L. Utnehmer", is written over a horizontal line.

Roger L. Utnehmer
President

July 10'th, 1991

APPENDIX 1

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ENGINEERING STATEMENT

IN THE MATTER OF:)
AMENDMENT OF SECTION 73.202(B),) RM-
TABLE OF ALLOTMENTS,)
FM BROADCAST STATIONS,)
(ANTIGO, WISCONSIN))

TO: THE COMMISSION

PREPARED FOR:
NICOLET BROADCASTING, INC.

JULY 10TH, 1991

PREPARED BY:
LYLE ROBERT EVANS
BROADCAST CONSULTANT
1296 MARIAN LANE
GREEN BAY, WISCONSIN 54304
(414) 494-6310

PETITIONER: Nicolet Broadcasting, Inc.
Proposed New Allotment
Channel 242C3; Antigo, WI

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Prepared 06/10/91

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-

TABLE OF CONTENTS; CONCLUDED

STATE OF WISCONSIN)
COUNTY OF BROWN)
CITY OF GREEN BAY)

LYLE ROBERT EVANS, BEING FIRST DULY SWORN STATES:

THAT HE IS A ELECTRONIC COMMUNICATIONS CONSULTANT WITH OFFICES AT 1296 MARIAN LANE, GREEN BAY, WISCONSIN, 54304.

THAT HIS QUALIFICATIONS ARE A MATTER OF RECORD BEFORE THE FEDERAL COMMUNICATIONS COMMISSION IN WASHINGTON, D.C.

THAT HE HAS PREPARED NUMEROUS AM, FM, MICROWAVE RADIO, TELEVISION AND TRANSLATOR APPLICATIONS WHICH HAVE BEEN PROCESSED TO GRANT BY THE FEDERAL COMMUNICATIONS COMMISSION.

THAT ALL CALCULATIONS AND/OR MEASUREMENTS AND EXHIBITS IN THE ACCOMPANYING REPORT WERE MADE BY HIM PERSONALLY, OR UNDER HIS DIRECTION, AND THAT ALL FACTS CONTAINED HEREIN ARE TRUE OF HIS PERSONAL KNOWLEDGE OR BELIEF, AND ON SUCH STATEMENTS MADE ON BELIEF, THEY ARE BELIEVED TO BE TRUE.



AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10TH DAY OF JULY,
1991.



NOTARY PUBLIC

DATE OF COMMISSION EXPIRATION: 5/30/93

RECEIVED

JUL 15 1991

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

IN THE MATTER OF:)
AMENDMENT OF SECTION 73.202(B),) RM-
TABLE OF ALLOTMENTS,)
FM BROADCAST STATIONS,)
(ANTIGO, WISCONSIN))

TO: THE COMMISSION

ENGINEERING STATEMENT

This Engineering Statement concerns the above captioned Petition For Rulemaking, to which this Statement is Appendix 1.

Nicolet Broadcasting, Inc., the Petitioner, retained the services of Lyle Robert Evans, Broadcast Consultant, to conduct engineering studies and prepare necessary Statements and Attachments to support the Petition of Nicolet Broadcasting, Inc., to amend Section 73.202(b) of the Commission's Rules and Regulations, to allot FM Channel 242C3 (96.3 MHz.) to Antigo, Wisconsin, as that community's second FM Radio Broadcast Service.

The FCC specified Geographic Reference Coordinates for the City of Antigo, Wisconsin are: 45°-08'-54" North Latitude, 89°-09'-00" West Longitude.

Attachment E-A to this Statement is a FM Channel 242C3 Separation Study with these Coordinates as base.

A review of Attachment A evidences an allotment of FM Channel 242C3 at the Antigo, Wisconsin, Reference Coordinates "Short-Spaced" to: a Co-Channel Class C Allotment at Houghton, Michigan, the Co-Channel Class C Construction Permit of Station WOLF, Houghton, Michigan, and the Co-Channel License of Station WJMC-FM, Rice Lake, Wisconsin. Such short spacings in contravention with Minimum Distance Separation Requirements for FM allotments as set forth in 47 Code Of Federal Regulations, Section 73.207.

To allot FM Channel 242C3 to Antigo, Wisconsin, in compliance with minimum distance separation requirements for FM allotments, it is necessary to restrict a transmitter site of an operation on Channel 242C3 to a location South of Antigo.

A restricted transmitting antenna location for an operation on Channel 242C3 has been selected, consistent with Commission minimum distance separation requirements between FM radio broadcast stations set forth in 47 Code Of Federal Regulations, Section 73.207.

This illustrative transmitting antenna location is 20.07 kilometers (12.47 miles) distant, at a bearing of 183.70 degrees True, from the Antigo, Wisconsin, "Reference Coordinates".

Attachment E-B to this Statement, a FM Channel

242C3 Separation Study with illustrative, restricted transmitting antenna coordinates; 44°-58'-05" N.L., 89°-10'-00" W.L., as base. This Study evidences the proposed illustrative site in complete compliance with all Commission Minimum Distance Separation Requirements for FM allotments, set forth in 47 Code of Federal Regulations, Section 73.207.

The geographic coordinates at the most distant point on the boundary (City-Limits) of the petitioned allotment Principal Community (City of Antigo, Wisconsin) have been determined. This "most distant point" is 22.3 kilometers distant, at a bearing of 2.1 degrees True, from the illustrative, restricted transmitting antenna location.

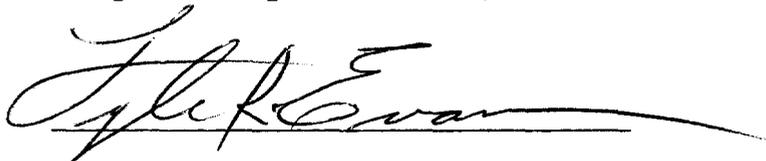
Distance to the 70 dBu (3.16 mVm) (City-Grade" contour of a typical Class C3 FM Radio Broadcast Station operation (25.0 kw E.R.P. and 100 meter H.A.A.T.) is 23.3 kilometers.

A "typical" Class C3 FM Radio Broadcast Station operation at the illustrative site coordinates set forth on Attachment B of this Statement, shall provide the requisite 70 dBu (3.16 mV/m), "City Grade" signal to all Antigo.

A grant of the Petition of which this Statement is Appendix 1, shall provide residents of Antigo, Wisconsin,

a second local FM Radio Broadcast Service fully consistent
with all Commission Rules and Regulations.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lyle Robert Evans", written in black ink. The signature is fluid and extends across the width of the text block below it.

Lyle Robert Evans
Broadcast Consultant to:
Nicolet Broadcasting, Inc.

July 10'th, 1991

ENGINEERING STATEMENT; CONCLUDED

CHANNEL STUDY

LOCATION: ANTIGO, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 242
 CLASS: C3
 FREQUENCY: 96.3 MHZ.
 ZONE: II
 COORDINATES: 45°-08'-54" N.L., 89°-09'-00" W.L. (ANTIGO REFERENCE COORDINATES)
 PETITIONER: NICOLET BROADCASTING, INC
 DATE: JULY 2'ND, 1991

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP (KW) EAH (MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WZTR LICENSE	MILWAUKEE WI	BLH-7581	239B 95.7	34.00 185.90	43-05-25 87-54-54	156.6	249.06 178.06	71.0 CLEAR
WWMH CP	MINOCQUA WI	BPH-890626IB	240C1 95.9	100.00 141.73	46-01-55 89-31-48	343.2	102.56 25.56	76.0 CLEAR
WHYB APP	PESHTIGO WI	BPH-900130IE	241A 96.1	3.00 71.02	45-07-19 87-51-07	91.6	102.07 13.07	89.0 CLEAR
WYUR-FM LIC	RIPON WI	BLH-890109KB	241A 96.1	2.00 122.53	43-49-10 88-43-20	167.0	151.50 62.50	89.0 CLEAR
WOLF CP	HOUGHTON MI	BPH-850122MC	242C 96.3	100.00 300.00	47-04-14 88-40-33	9.7	216.74 20.26	237.0 SHORT
ALLOT	HOUGHTON MI		242C 96.3		47-08-03 88-34-06	11.6	223.98 13.02	237.0 SHORT
WOLF APPL	HOUGHTON, MI MI	BMPH-890509IB	242C1 96.3	100.00 176.80	47-08-06 88-33-53	11.6	225.35 14.35	211.0 CLEAR
WJMC-FM LIC	RICE LAKE WI	BLH-4018	242C1 96.3	100.00 164.59	45-30-27 91-46-28	281.0	209.43 1.57	211.0 SHORT
WMLI CP	SAUK CITY WI	BPH-890829IG	242B1 96.3	5.10 205.13	43-12-37 89-35-57	189.5	218.27 43.27	175.0 CLEAR
WKLH LIC	MILWAUKEE WI	BLH-820914AI	243B 96.5	20.00 73.00	43-05-48 87-54-19	156.4	248.71 103.71	145.0 CLEAR
ALLOT	WHITING WI	DOC. 89-282	244C2 96.7		44-38-41 89-51-11	224.8	78.80 22.80	56.0 CLEAR

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CHANNEL STUDY

LOCATION: ANTIGO, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 242
 CLASS: C3
 FREQUENCY: 96.3 MHZ.
 ZONE: II
 COORDINATES: 45°-08'-54" N.L., 89°-09'-00" W.L. (ANTIGO REFERENCE COORDINATES)
 PETITIONER: NICOLET BROADCASTING, INC
 DATE: JULY 2'ND, 1991

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAH(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
ALLOT	OSHKOSH WI	DOC. 89-282	245A 96.9		44-06-36 88-30-18	156.1	126.19 84.19	42.0 CLEAR
WUPN LIC	IRONWOOD MI	BLH-880929KA	295C1 106.9	53.00 152.50	46-28-18 90-00-43	335.5	161.57 137.57	24.0 CLEAR
WOCO-FM LIC	OCONTO WI	BLH-4658	296A 107.1	3.00 141.73	44-53-31 87-57-18	106.8	98.34 86.34	12.0 CLEAR

-----END CHANNEL 242C3 STUDY-----

ATTACHMENT E-A; CONCLUDED

CHANNEL STUDY

LOCATION: ANTIGO, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 242
 CLASS: C3
 FREQUENCY: 96.3 MHZ.
 ZONE: II
 COORDINATES: 44°-58'-05" N.L., 89°-10'-00" W.L. (ILLUSTRATIVE COORDINATES)
 PETITIONER: NICOLET BROADCASTING, INC
 DATE: JULY 2'ND, 1991

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAH(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WZTR LICENSE	MILWAUKEE WI	BLH-7581	239B 95.7	34.00 185.90	43-05-25 87-54-54	154.3	231.45 160.45	71.0 CLEAR
WWMH CP	MINOCQUA WI	BPH-890626IB	240C1 95.9	100.00 141.73	46-01-55 89-31-48	346.5	121.57 45.57	76.0 CLEAR
WHYB APP	PESHTIGO WI	BPH-900130IE	241A 96.1	3.00 71.02	45-07-19 87-51-07	80.6	104.91 15.91	89.0 CLEAR
WYUR-FM LIC	RIPON WI	BLH-890109KB	241A 96.1	2.00 122.53	43-49-10 88-43-20	164.5	132.42 43.42	89.0 CLEAR
WOLF CP	HOUGHTON MI	BPH-850122MC	242C 96.3	100.00 300.00	47-04-14 88-40-33	9.2	236.70 -0.30	237.0 SHORT@
ALLOT	HOUGHTON MI		242C 96.3		47-08-03 88-34-06	10.9	245.11 8.11	237.0 CLEAR
WOLF APPL	HOUGHTON, MI MI	BMPH-890509IB	242C1 96.3	100.00 176.80	47-08-06 88-33-53	10.9	245.26 34.26	211.0 CLEAR
WJMC-FM LIC	RICE LAKE WI	BLH-4018	242C1 96.3	100.00 164.59	45-30-27 91-46-28	286.3	213.21 2.21	211.0 CLEAR
WMLI CP	SAUK CITY WI	BPH-890829IG	242B1 96.3	5.10 205.13	43-12-37 89-35-57	190.1	198.31 23.31	175.0 CLEAR
WKLH LIC	MILWAUKEE WI	BLH-820914AI	243B 96.5	20.00 73.00	43-05-48 87-54-19	154.1	231.14 86.14	145.0 CLEAR
ALLOT	WHITING WI	DOC. 89-282	244C2 96.7		44-38-41 89-51-11	236.5	65.08 9.08	56.0 CLEAR

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CHANNEL STUDY

LOCATION: ANTIGO, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 242
 CLASS: C3
 FREQUENCY: 96.3 MHZ.
 ZONE: II
 COORDINATES: 44°-58'-05" N.L., 89°-10'-00" W.L. (ILLUSTRATIVE COORDINATES)
 PETITIONER: NICOLET BROADCASTING, INC
 DATE: JULY 2'ND, 1991

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAH(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
ALLOT	OSHKOSH WI	DOC. 89-282	245A 96.9		44-06-36 88-30-18	151.1	108.85 66.85	42.0 CLEAR
WUPN LIC	IRONWOOD MI	BLH-880929KA	295C1 106.9	53.00 152.50	46-28-18 90-00-43	338.5	179.55 155.55	24.0 CLEAR
WOCO-FM LIC	OCONTO WI	BLH-4658	296A 107.1	3.00 141.73	44-53-31 87-57-18	95.1	95.95 83.95	12.0 CLEAR

-----END CHANNEL 242C3 STUDY-----

NOTES: @ Those assignments whose indicated separation status is followed by the @ symbol (at times a quantity) comply with applicable FCC minimum distance separation requirements by utilization of "5/4" rounding.

ATTACHMENT E-B; CONCLUDED