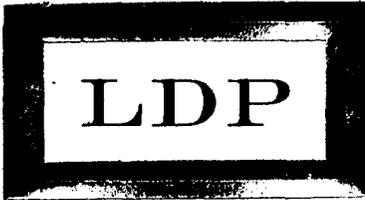


RECEIVED

JUL 29 1991

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY



LARRY D. PERRY

COUNSELOR AT LAW

ONE TENNESSEE SQUARE, BOX 3194, OAK RIDGE, TENNESSEE 37831-3194

TELEPHONE: (615) 483-8474

July 23, 1990

Ms Donna Searcy
Secretary
Federal Communications Commissio
Washington, D.C. 20554

**RE: PETITION FOR RULEMAKING--TO CHANGE THE ALLOCATION
TABLE FOR ERIN, TENNESSEE**

Dear Ms Searcy:

Enclosed please find an original and 5 copies of a Petition for Rulemaking to Amend the Allocation Table for FM broadcast stations to better serve the public interest and by providing the first broadcast service to a larger number of people than by the present allocation.

The instant petition proposes to change the allocation of Channel 268A from McKinnon, Tennessee, to Channel 268C3 Erin, Tennessee.

Should you or your staff have any questions concerning this matter, please don't hesitate to contact this office for clarification.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Larry Perry".

Larry Perry

LP/eb

RECEIVED

JUL 29 1991

Before The
FEDERAL COMMUNICATIONS COMMISSION FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C., 20554 OFFICE OF THE SECRETARY

In the Matter of:

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(McKinnon, Tennessee)

TO: Chief, Allocations Branch

**PETITION FOR RULEMAKING
TO AMEND THE ALLOCATION TABLE**

David R. Ross ("Ross") and WJZM, Inc. ("WJZM") by their counsel hereby petition the Commission to amend the FM Broadcast Allocation Table found at Section 73.202(b) of the Commission's Rules to:

SUBSTITUTE the City of **ERIN, TENNESSEE** Channel 268C3 for the City of **McKINNON, TENNESSEE**, Channel 268A.

In support of this this request the following is shown:

1. Ross is the licensee of FM broadcast station WTWL-FM located in McKinnon, Tennessee. WJZM is the proposed assignee of WTWL-FM.

2. The present allocation table provides for an FM channel 268A to be allocated to McKinnon, Tennessee, a small middle Tennessee community located in Houston County. There are no allocations for Erin, Tennessee, the county seat of Houston County and the population center of the county.

3. There are no other broadcast stations of any kind located in Houston County, Tennessee.

4. Erin, Tennessee is located approximately 15 miles to the east of McKinnon and is at the intersection of 5 major state roads for commerce.

5. The 70 dbu signal of the McKinnon station does not cover the county seat of Erin.

6. The center of commerce and government for the county are located at Erin.

7. McKinnon is a small city on the banks of the Tennessee River in rural farmland.

8. The nearest other broadcast facility to Erin is located in Waverly, Tennessee, some 20 miles to the south.

9. The requested change is herein proposed to provide the first local aural service to residents of the county seat of Houston County and surrounding area.

10. The number of people served would be increased considerably and the people of McKinnon presently within the listening area of the present allocation would still receive aural service from the changed allocation/station although not of a city grade.

11. The petitioners feel that being located in the center of government and commerce for the area would be in the best public interest in order that the station provide news and information about the area to the greatest number of people.

12. The present allocation in McKinnon wastes a considerable amount of energy since over 1/2 of the signal of the station on the present allocation is received west of the Tennessee river (Kentucky Lake) by uninterested people who do not do business in Houston County. The nearest bridge across the Lake is some 35 miles to the north near Dover, Tennessee, so there is no incentive for the people in those areas to come to the Houston County area, thus the signal is wasted energy to that area. The new location at Erin on the other hand would provide for a more efficient use of the spectrum by serving people who are interested and who live in the commerce and governmental area.

13. As the attached engineering report shows there will be NO mutual exclusivity problem nor will any other station be affected by the change. There are however, three applications for construction permits located at Jackson, Tennessee that would be affected. However, there are sites that the Jackson applicants could use that would not be short-spaced as evidenced by the fact that two other applicants for the same facility are not short spaced. There is no change of frequency channel proposed here. Further, the change would not create a short spacing problem with any other licensed station. (See Engineering Report for details.)

14. When the Commission changes the Table as requested herein, the petitioners will move the present transmitter site to the city of Erin as soon as possible in order to better serve the

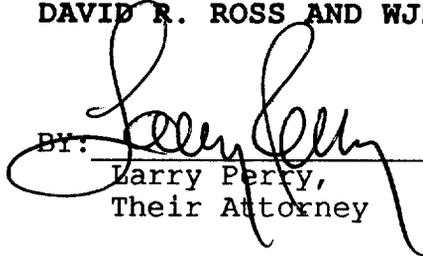
public interest with more localized news and information of interest.

15. By changing the allocation from a Class A to a Class C3 the entire county can be served.

WHEREFORE, by reasons of the facts that the proposed Substitution of Erin, Tennessee, for McKinnon, Tennessee in the Table of Allocations will better serve the county and area intended, serve more people, be located in the county seat of a county with no other broadcast stations, either AM or FM, will not be short spaced or will it create any mutual exclusivity problems with any other station, nor will it cause any interference to any other station since it will be fully spaced from all others as set forth in Section 73.207 of the Commission's Rules, the Commission should GRANT the requested substitution of Erin for McKinnon, Tennessee, and change the class of station from a Class A to a Class C3 in the Table of Allocations at Section 73.202 (b) of the Commission's Rules.

Respectfully submitted,

DAVID R. ROSS AND WJZM, INC.

BY: 

Larry Perry,
Their Attorney

Box 3194
Oak Ridge, TN 37831-3194
(615) 927-8474

July 20, 1990.

ENGINEERING STATEMENT

ERIN, TENNESSEE

FM CHANNEL 26803

for

David R. Ross,

The attached engineering study of channel 26803 for Erin, Tennessee was performed using the Commission's separation criteria contained in 47 CFR 73.207, Minimum Distance Separation Between Stations. This study indicates that channel 26803 can be assigned to Erin, Tennessee (N LAT 36-19-07; W LNB 87-41-39) with the allocation reference point (N LAT 36-23-00; W LNB 87-33-00) 14.8 kilometers northeast of the community. The proposed allocation point will avoid short spacing channel 268A serving Jackson, Tennessee and WCIL-FM channel 268B serving Carbondale, Illinois.

The FM Channel Spacing Study and Clearance Map, attached as Exhibits I and II, demonstrate that there is land northeast of Erin, Tennessee which will accommodate the site restriction and allow for a tower site.

At maximum facilities (25 kw ERP, 100m HAAT) a class C3 city-grade contour will cover approximately 23 kilometers from the antenna site. Therefore it is quite possible to provide Erin, Tennessee with the required city-grade signal from a transmitter site within the clearance area show on Exhibit III.

Having demonstrated that this proposal meets the separation requirements of 47 CFR 73.207 and that it also meets the city-grade coverage requirements of section 73.315, the public interest will be served by the allotment of channel 26803 to Erin, Tennessee.

EXHIBIT I

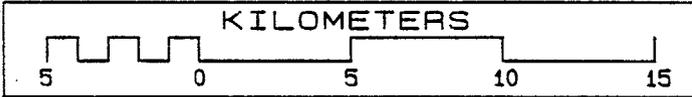
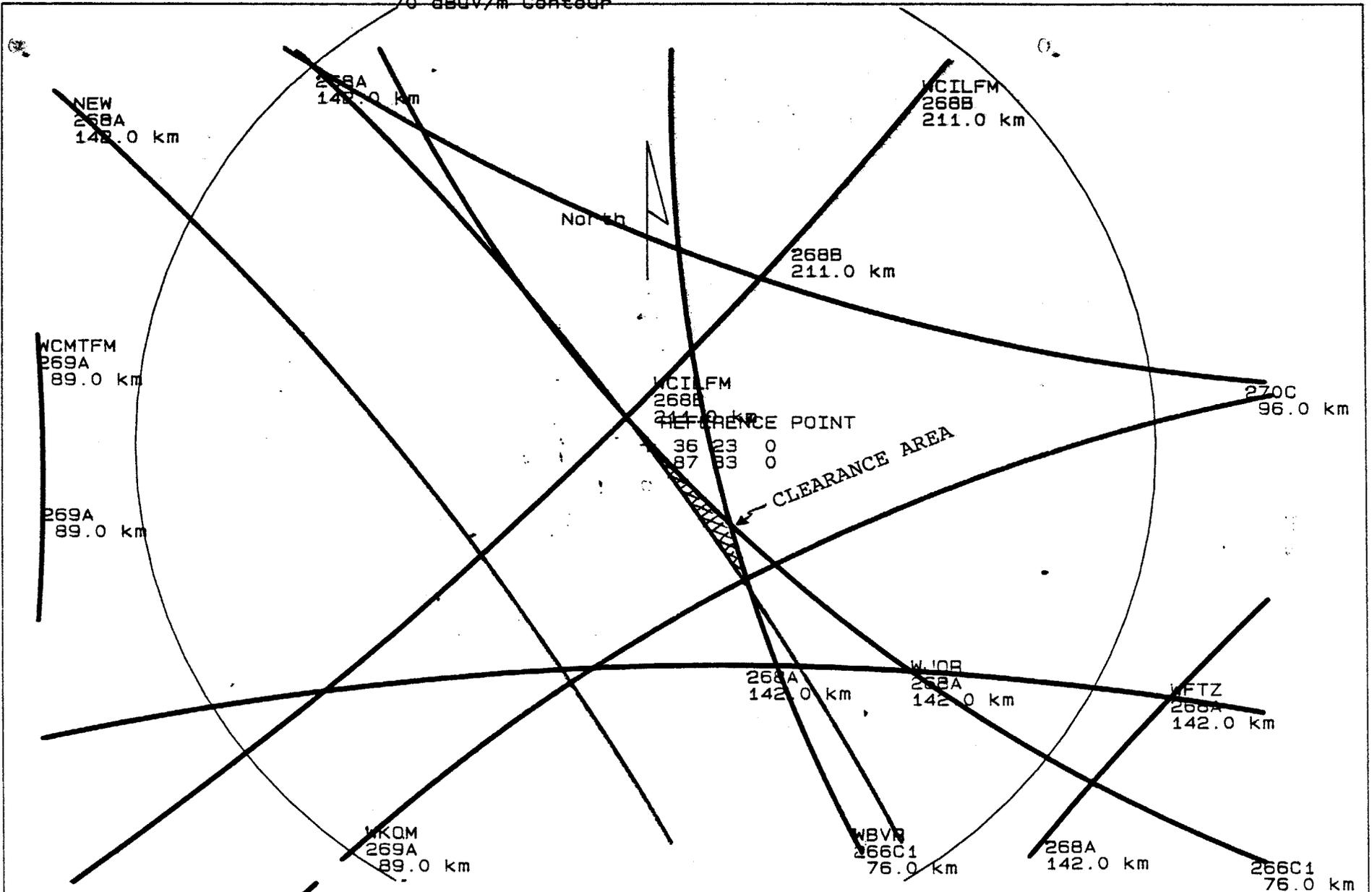
***** FM CHANNEL SPACING STUDY *****

Job title: Erin, TN Latitude: 36 23 0
 Channel: 268C3 Longitude: 87 33 0
 Database file name: D:\FCCDATA\FM910626.edx Pre-1989 Class A spacings?: N
 Reqd.

CH	Call	Record	City	ST	Status	Bear.	Dist.	Dist.	Result
269A		8712	Smithville	TN	USED	107.6	163.7	89.0	74.7
269A	WJLEFM	8744	Smithville	TN	LIC	107.6	163.7	89.0	74.7
268A		8777	Celina	TN	USED	83.6	184.1	142.0	42.1
268A	WVFB	8786	Celina	TN	CP	83.2	174.8	142.0	32.8
268A	WRZI	8793	Buffalo	KY	CP MOD	48.2	202.5	142.0	60.5
268A		9420	Manchester	TN	USED	130.5	167.6	142.0	25.6
268A	WFTZ	9421	Manchester	TN	CP	130.5	167.6	142.0	25.6
266C1		9431	Russellville	KY	USED	47.5	76.1	76.0	.1
266C1	WBVR	9500	Russellville	KY	LIC	78.1	79.0	76.0	3.0
268A		9531	Vine Grove	KY	VACANT	42.0	201.2	142.0	59.2
268A		10041	St. Joseph	TN	USED	178.7	151.9	142.0	9.9
269A		10042	Columbia	TN	USED	151.7	96.5	89.0	7.5
268A	WJOR	10047	St. Joseph	TN	CP	178.7	151.9	142.0	9.9
269A	WKOM	10051	Columbia	TN	LIC	151.7	96.5	89.0	7.5
268A	WTWL	10056	Mckinnon	TN	APP	274.8	37.7	142.0	-104.3
268A		10060	Mckinnon	TN	USED	257.0	32.9	142.0	-109.1
268A	WTWL	10061	Mckinnon	TN	LIC	274.8	37.7	142.0	-104.3
270C1	WKYA	10083	Central City	KY	LIC	20.1	104.8	76.0	28.8
270C		10099	Central City	KY	USED	20.1	104.8	96.0	8.8
270C1	WKYA	10101	Central City	KY	CP MOD	17.0	135.9	76.0	59.9
268A		10128	Fort Branch	IN	USED	359.8	213.5	142.0	71.5
268A	WBGW	10129	Fort Branch	IN	CP	1.6	199.4	142.0	57.4
268A		10645	Jackson	TN	USED	233.5	142.2	142.0	.2
268A	NEW	10646	Jackson	TN	CP	234.0	151.3	142.0	9.3
265A		10649	Huntingdon	TN	USED	239.9	95.1	42.0	53.1
269A		10652	Savannah	TN	USED	206.3	141.4	89.0	52.4
265A	WVHR	10656	Huntingdon	TN	LIC	239.9	95.1	42.0	53.1
269A	WORMFM	10683	Savannah	TN	LIC	206.3	141.4	89.0	52.4
269A	WCMTFM	10685	Martin	TN	LIC	269.2	116.6	89.0	27.6
269A		10703	Martin	TN	USED	269.2	116.6	89.0	27.6
267C3		11370	Tiptonville	TN	ADD	270.4	172.7	99.0	73.7
267C3		11381	Obion	TN	ADD	269.0	158.6	99.0	59.6
268B	WCILFM	11410	Carbondale	IL	LIC	315.1	212.7	211.0	1.7
268B		11417	Carbondale	IL	USED	315.1	212.7	211.0	1.7
268B	WCILFM	11431	Carbondale	IL	CP	315.1	212.7	211.0	1.7

***** End of channel 268 study *****

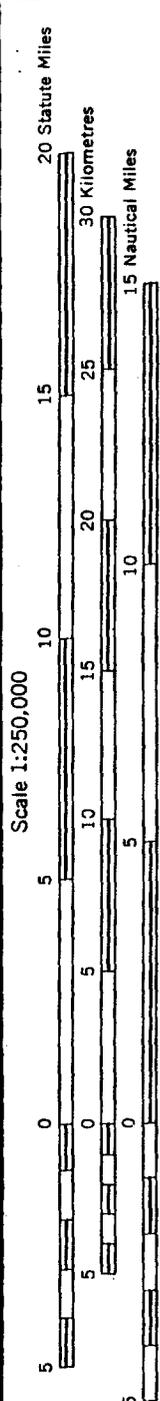
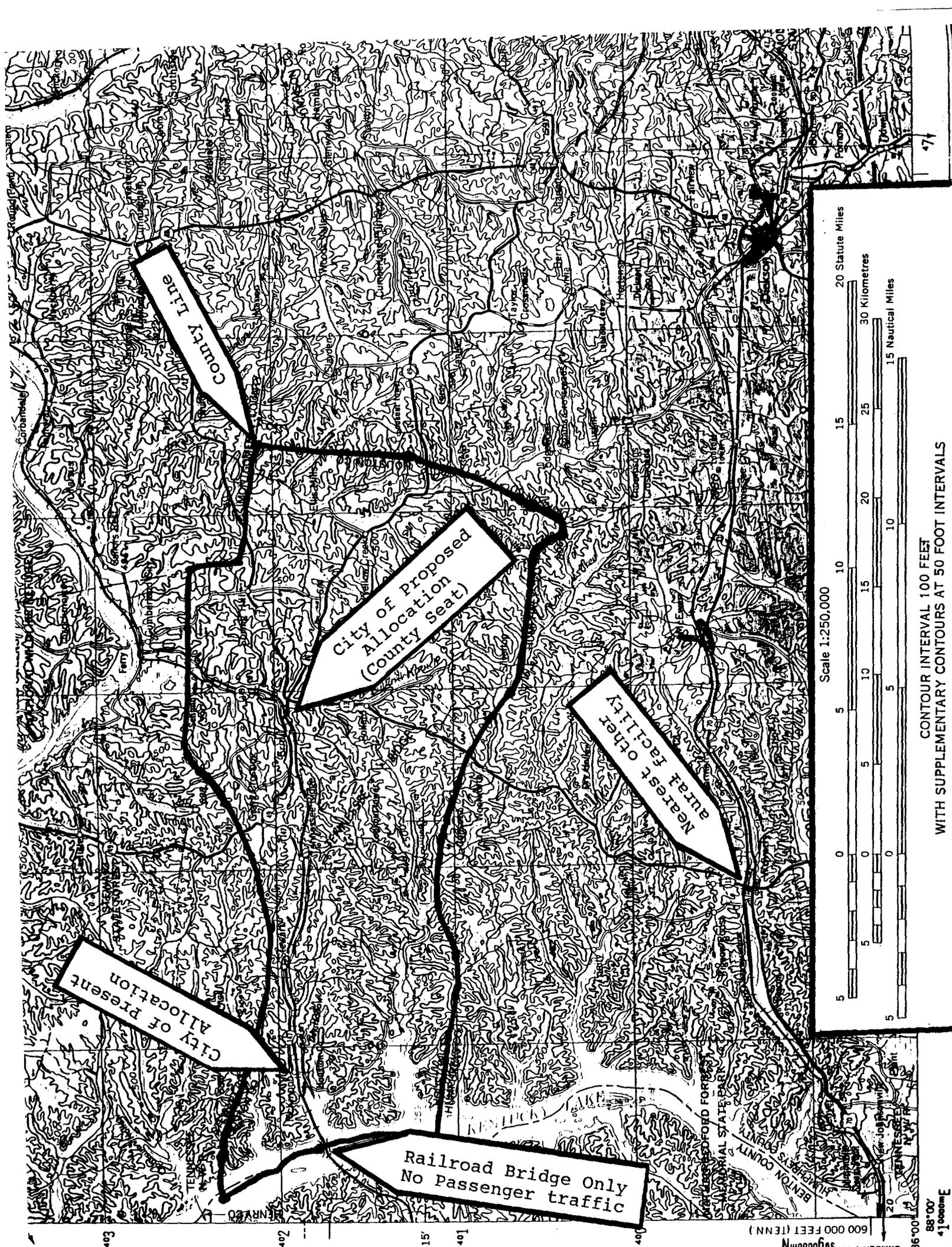
70 dBuV/m Contour



Corner coordinates: 36 23 0 87 53 0

EXHIBIT III

AREA FOR FM SITE
Erin, TN 268C3



CONTOUR INTERVAL 100 FEET
WITH SUPPLEMENTARY CONTOURS AT 50 FOOT INTERVALS

36°00' N
88°00' W
600,000 FEET (TENN.)