

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In re the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations)
(East Brewton, Alabama))

MM Docket No. _____
RM _____

To: Chief, Policies and Rules Division

RECEIVED

MAR 4 - 1992

PETITION FOR RULE MAKING

Federal Communications Commission
Office of the Secretary

Escambia Creek Indian Broadcasting Company ("Escambia"),
through its attorneys, hereby submits this Petition for Rule
Making, requesting that the Commission amend the FM Table of
Allotments, § 73.202(b) of its rules, as follows:

Community
East Brewton, AL

Present

Proposed
239A

Allocation of Channel 239A would provide East Brewton with
its first local service. East Brewton is an incorporated city in
Escambia County, Alabama. It is recognized by the U.S. Census
and according to the 1980 census figures, has a population of
3,012 persons. Accordingly, it is a community deserving of an FM
service.

Attached hereto is a Technical Statement prepared by Bromo
Communications, Inc. which establishes that FM Channel 239A may
be allotted to East Brewton, AL, with a site restriction of 11.7
kilometers north-northeast of the community, in compliance with
the Commission's Rules.

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If this Petition for Rule Making is granted and Channel 239A allotted to East Brewton, Escambia will, in a timely manner, file an application for permission to construct the facility and, if granted, will promptly construct and begin operation of the station.

WHEREFORE, in light of the foregoing, it is respectfully requested that Channel 239A be allotted to East Brewton, Alabama.

Respectfully submitted,

**ESCAMBIA CREEK INDIAN
BROADCASTING COMPANY**

BY:



M. Scott Johnson

By:



Catherine M. Withers

Its Attorneys

GARDNER, CARTON & DOUGLAS
1301 K Street, N.W.
Suite 900, East Tower
Washington, D.C. 20005

March 4, 1992

PETITION FOR RULE MAKING
ESCAMBIA CREEK INDIAN
BROADCASTING COMPANY
ALLOT CHANNEL 239A
EAST BREWTON, ALABAMA
March 1992

Technical Exhibit
TE-1

Bromo Communications, Inc.
P.O. Box M - 1331 Ocean Boulevard, Suite 201
St. Simons Island, Georgia 31522
(912) 638-5608

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PETITION FOR RULE MAKING
ESCAMBIA CREEK INDIAN
BROADCASTING COMPANY
ALLOT CHANNEL 239A
EAST BREWTON, ALABAMA
March 1992

TECHNICAL STATEMENT

This Technical Statement and attached exhibits were prepared on behalf of Escambia Creek Indian Broadcasting Company ("ECIBC"). ECIBC is requesting that §73.202(b) of the Commission's rules be amended, allotting Channel 239A to East Brewton, Alabama, as that community's first local FM service.

DISCUSSION

East Brewton is listed in the 1980 census as an incorporated city in Escambia County, Alabama. East Brewton has a population of 3,012 persons (1980 census figure), an increase of nearly 700 people over the 1970 census. Presently, East Brewton does not have local AM or FM service. The allotment of Channel 239A to East Brewton would provide first local service to this community.

Channel 239A can be allocated to East Brewton, Alabama, with a site restriction 11.7 kilometers north-northeast of the community in order to avoid shortspacing WKNU, Channel 292A, Brewton, Alabama, and WAVH, Channel 241C, Mobile,

Alabama. The coordinates for Channel 239A at East Brewton are North Latitude 31° 12' 09" and West Longitude 87° 01' 49". From this randomly selected reference site, a 3.16 mV/m contour will be delivered over all of East Brewton. Exhibit #1 visually demonstrates the usable area for Channel 239A at East Brewton. Further, as demonstrated by Exhibit #2, Channel 239A, at the reference site, meets the Commission's minimum distance separation requirements, §73.207(b), to all other licensed, applied for, or proposed facilities.

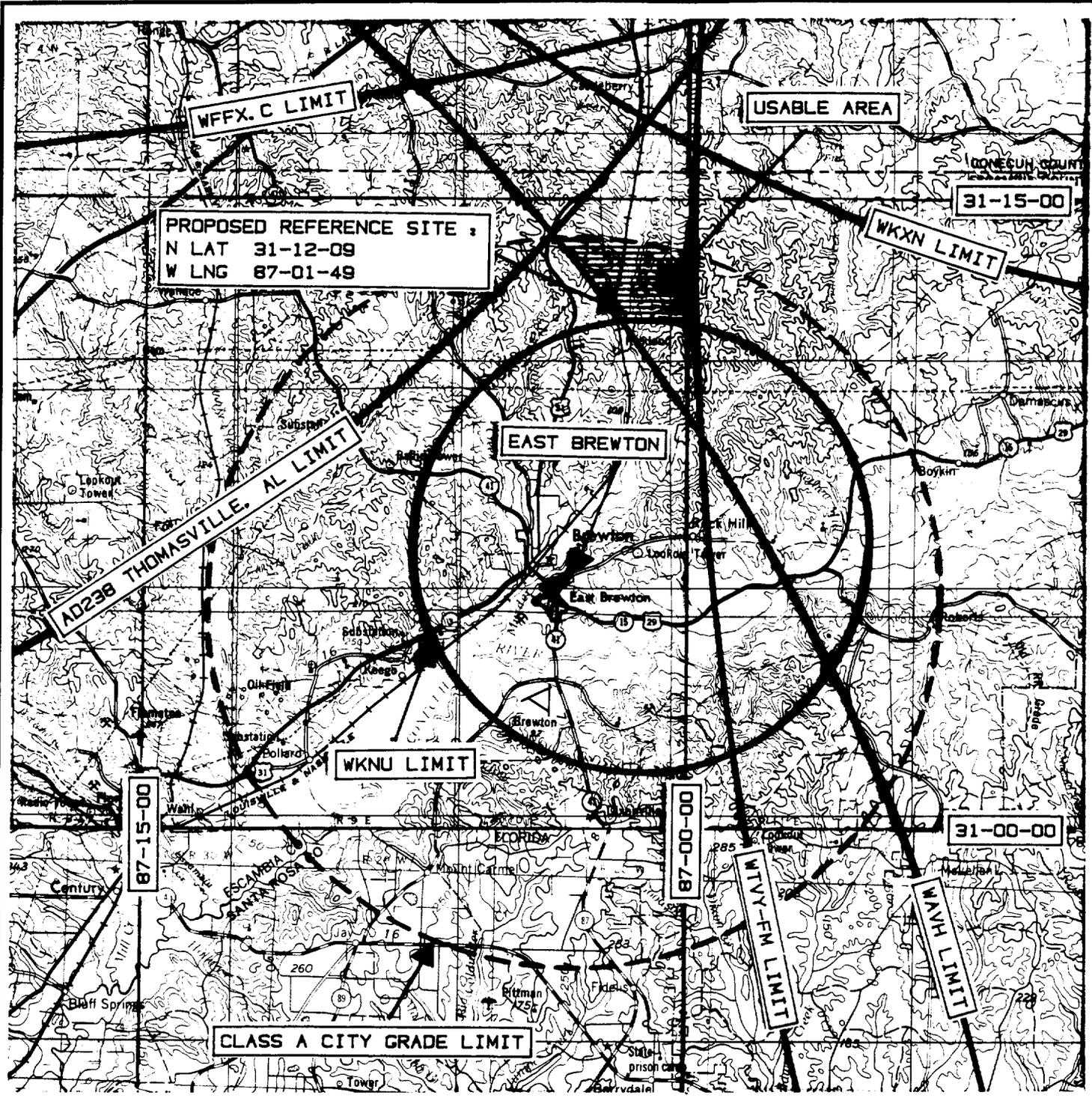
Therefore, ECIBC requests the following change to Commission's FM Table of Allotments:

<u>East Brewton, Alabama</u>	
<u>Present</u>	<u>Proposed</u>
None	239A

When Channel 239A is allocated to East Brewton, Alabama, ECIBC will file, in a timely manner, an application for Construction Permit, seeking authority to build a new FM station on Channel 239A at East Brewton, Alabama.

The foregoing Technical Statement was prepared on behalf of Escambia Creek Indian Broadcasting Company by Bromo

Communications, Inc., its Technical Consultants. We have tried to be as accurate as possible in the preparation of this technical statement. The information contained herein and it is true and accurate to the best of our belief and knowledge. Should any questions arise during consideration of this proposal, we welcome the opportunity to discuss the matter by phone at (912) 638-5608.



USABLE AREA CHANNEL 239A

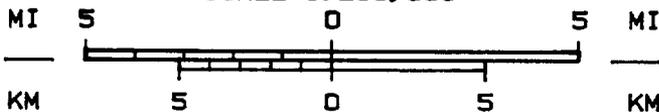
MAP IS A PORTION OF THE ANDALUSIA EASTERN UNITED STATES 1:250,000 SCALE MAP.

CROSS HATCHED AREA IS USABLE AREA.

EXHIBIT #1

**PETITION FOR RULE MAKING
 ESCAMBIA CREEK INDIAN
 BROADCASTING COMPANY
 ALLOT CHANNEL 239A
 EAST BREWTON, ALABAMA
 MARCH 1992**

SCALE 1:250,000



BROMO
 COMMUNICATIONS

St Simons Island, Georgia

BROADCAST
 TECHNICAL CONSULTANTS

Washington, D.C.

ALLOCATION STUDY FOR EAST BREWTON, ALABAMA
USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE
31 12 09 N
87 01 49 W

CLASS A
Current rules spacings
CHANNEL 239 - 95.7 MHz

DISPLAY DATES
DATA 01-30-92
SEARCH 02-28-92

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WKNU LI CN	292A 31 06 45	Brewton 87 01 19 Ellington Radi	AL 3.000 kW	175.4 91M	10.01 6.2	10.0 6.2	0.01 <
					BLH6349		
WAVH LI CY	241C 30 41 20	Mobile 87 49 49 Marathon Communications, Inc.	AL 100.000 kW	233.3 409M	95.32 59.2	95.0 59.0	0.32 <
					BLH901022KG		
WTVYFM LI CN	238C 31 15 16	Dothan 85 15 39 Woods Communications Group, I	AL 100.000 kW	88.0 323M	168.69 104.8	165.0 102.6	3.69
					BLH880323KD		
AD238 AD	238C3 31 46 07	Thomasville 87 45 53 Griffin Broadcasting Corporat	AL 0.000 kW	312.0 0M	93.86 58.3	89.0 55.3	4.86
		>PRM-Site restricted 16 KM South			RM7444		
WKXN LI CN	240A 31 50 43	Greenville 86 38 56 WKXN Corporation	AL 4.000 kW	26.9 69M	79.95 49.7	72.0 44.8	7.95
					BMLH900228KC		
WFFX.C CPM CN	239C1 33 03 15	Tuscaloosa 87 32 57 Arrow Communications of Alaba	AL 100.000 kW	346.6 299M	211.08 131.2	200.0 124.3	11.08
					BMPH900327IG	910519	
WFFX LI CN	239C1 33 12 05	Tuscaloosa 87 32 00 Arrow Communications of Alaba	AL 100.000 kW	347.9 125M	226.67 140.9	200.0 124.3	26.67
					BLH800722AE		

ALLOCATION STUDY CHANNEL 239A

EXHIBIT #2
PETITION FOR RULE MAKING
ESCAMBIA CREEK INDIAN
BROADCASTING COMPANY
ALLOT CHANNEL 239A
EAST BREWTON, ALABAMA
MARCH 1992

BROMO
COMMUNICATIONS
BROADCAST TECHNICAL CONSULTANTS
St Simons Island, Georgia Washington, D. C.

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

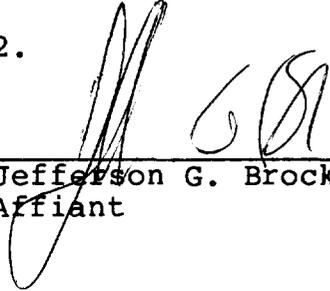
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK being duly sworn, deposes and says that he is an officer of Bromo Communications, Inc. Bromo has been engaged by Escambia Creek Indian Broadcasting Company to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

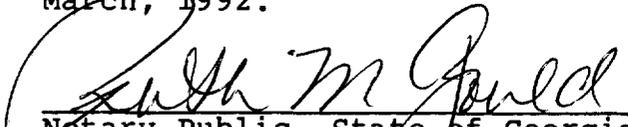
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 2nd day of March, 1992.



Jefferson G. Brock
Affiant

Sworn to and subscribed before me this the 2nd day of March, 1992.



Notary Public, State of Georgia
My Commission Expires: August 21, 1995

