

**KOZT-FM 95.3/95.9**  
*Classic Rock From The Coast*

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APR - 6 1992

Federal Communications Commission  
Office of the Secretary

COMMUNICATIONS  
FILE

April 2, 1992

VIA FEDERAL EXPRESS

Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20036

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APR 6 1992

FCC MAIL BRANCH

Re: MM Docket No. 92-25  
RM-7905

Dear Madame Secretary:

Enclosed please find an original and four conformed copies of our Comments regarding the Notice of Proposed Rule Making, including the requested affidavit, as noted in Footnote 1 of the Notice, that all statements and representations in our petition are accurate to the best of our knowledge, as well as our expression on continuing interest in this rulemaking as required by paragraph 2 of the Appendix.

If any questions arise with regard to this petition, please contact me at any time at KOZT-FM, 124 East Laurel, Fort Bragg, CA 95437.

Sincerely,



Thomas E. Yates  
General Partner  
California Radio Partners  
KOZT-FM

No. of Copies rec'd 044  
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**ORIGINAL**

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

**RECEIVED**

**APR - 6 1992**

Federal Communications Commission  
Office of the Secretary

In the Matter of

Amendment of Section 73.202(b) )  
of the Commission's Rules and )  
Regulations (Table of Allotments), )  
Fort Bragg, California )

MM Docket No. 92-25  
RM-7905

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**APR 6 1992**

To: the Chief, Mass Media Bureau

**FCC MAIL BRANCH**

**COMMENTS OF CALIFORNIA RADIO PARTNERS**

California Radio Partners ("CRP"), licensee of Station KOZT (FM), Fort Bragg, California, respectfully submits comments relative to the Notice of Proposed Rule Making in the above captioned matter (adopted February 7, 1992, released February 18, 1992) seeking amendment of §73.202(b) of the Commission's Rules and Regulations to substitute FM Channel 237B1 in lieu of Channel 237A at Fort Bragg, California and modify the license of KOZT (FM) to specify operation on Channel 237B1. In support of the proposed substitution and license modification, CRP reasserts that such substitution and modification will serve the public interest, convenience, and necessity.

CONTINUING INTEREST

CRP hereby expresses its continuing interest in the proposal, will tender the appropriate minor change application in a timely manner following the adoption of the proposed substitution and modification, and will complete construction of the modified facilities as quickly as possible thereafter.

VERIFICATION OF REPRESENTATIONS

CRP regrets the inadvertent omission of the requisite verification of its original Petition for Rulemaking. To ensure compliance with Footnote 1 to the Notice, the entire original Petition

for Rulemaking, complete with the petitioner's verification, is attached as a supplement to these Comments. All representations therein remain true and correct as of this date, and all such representations are incorporated in these Comments by reference. The engineering exhibits which accompanied said petition were supported by the signed certification of D.C. Williams, P.E., Consulting Engineer, so no additional verification of such exhibits is deemed necessary.

Under penalty of perjury, I hereby declare that the foregoing is true and correct to the best of my knowledge and belief.

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APR 6 1992

FCC MAIL BRANCH

CALIFORNIA RADIO PARTNERS

by

Thomas Yates  
Thomas Yates

General Partner  
Title

April 2, 1992  
Date

California Radio Partners  
Station KOZT (FM)  
124 East Laurel  
East Bay, CA 95127

PARTNERSHIP ACKNOWLEDGMENT

NO. 203

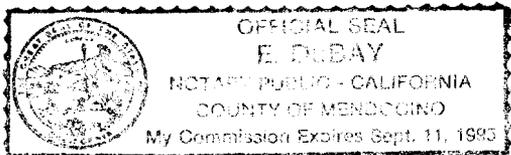
State of California }  
County of Mendocino } SS.

On this the 2nd, day of April 1992, before me,

E. DuBay,

the undersigned Notary Public, personally appeared

Thomas Yates, General Partner



personally known to me  
 proved to me on the basis of satisfactory evidence to be the person(s) who executed the within instrument on behalf of the partnership, and acknowledged to me that the partnership executed it. WITNESS my hand and official seal.

E. DuBay  
Notary's Signature

ATTACHMENT 1

VERIFIED ORIGINAL  
OF  
PETITION FOR RULEMAKING

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APR 6 1000

FCC MAIL BRANCH

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b) )  
of the Commission's Rules and )  
Regulations (Table of Allotments), )  
Fort Bragg, California )

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APR 6 1992  
FCC MAIL BRANCH

To: the Chief, Mass Media Bureau

**PETITION FOR RULEMAKING**

California Radio Partners ("CRP"), licensee of Station KOZT (FM), Fort Bragg, California, respectfully petitions the Federal Communications Commission to amend §73.202(b) of the Commission's Rules and Regulations to substitute FM Channel 237B1 in lieu of Channel 237A at Fort Bragg, California and modify the license of KOZT (FM) to specify operation on Channel 237B1. CRP submits that such substitution and modification will serve the public interest, convenience, and necessity.

**THE PROPOSED SUBSTITUTION WILL PROVIDE IMPROVED  
SERVICE TO THE PUBLIC**

Fort Bragg is located on the Pacific Coast in central Mendocino County, California. Since 1970, the population of Mendocino County has increased by more than 55%, principally the result of population migration from the more urbanized areas of Northern California. Annual growth has averaged over 3% per year, and projections allow that this rate of growth will increase in the coming years. The city of Fort Bragg has experienced commensurate growth in the recent past and is the only incorporated city between San Francisco and Eureka with full community attributes and the normal complement of public services. As the city of Fort Bragg completes the annexation of two major subdivisions in the near future, both the area and population of the city will increase dramatically. In addition to the growth of Fort Bragg itself, the general growth of the county and rural areas surrounding Fort Bragg are experiencing unprecedented growth. Numerous small communities now boast populations of several hundred

persons each, resulting in an aggregate population in these rural areas of several thousand. As the largest incorporated city on the Mendocino County coast, Fort Bragg functions as the cultural, economic, and communication center of the region. Fort Bragg is home to the only comprehensive health care facility and Chamber of Commerce in the area as well as the headquarters for law enforcement, major utilities, and major industry.

There is no local daily newspaper anywhere in the area, and KOZT provides the major source of live local news and information for the population in coastal Mendocino County. As the only station in the area with a local newsperson on staff and live aural broadcast service during prime listening periods, service organizations and local officials rely on KOZT to disseminate important emergency and community information. The natural terrain is very irregular with many valleys sheltered by ridges of significant elevation. Owing to these terrain characteristics, less than adequate service is provided to many pockets of significant population with the current Class A facilities. The substitution of Class B1 facilities would allow enhanced service to these areas and the population which resides therein.

**THE PROPOSED SUBSTITUTION COMPLIES WITH  
APPLICABLE TECHNICAL STANDARDS**

As demonstrated in the appended Engineering Exhibit of D.C. Williams, P.E., the proposed substitution of 237B1 for 237A at Fort Bragg, California complies with all applicable mileage separations as specified in the Commission's Rules and Regulations. The reference coordinates specified for Channel 237B1 are those of the existing KOZT site, from which 70 dBu service would be rendered to all of the anticipated (post-annexation) city limits of Fort Bragg. Should the instant petition be granted by the Commission, Class B1 facilities will enable the licensee to fully investigate a number of other potentially available sites from which to serve Fort Bragg and the surrounding population. A number of those sites would not provide the requisite service to the principal city with Class A facilities, but will be expected to do so with the Class B1 facilities requested herein. The licensee will continue to strive to provide maximum possible service to the public.

**CRP WILL PROMPTLY MODIFY THE FACILITIES OF KOZT  
TO SPECIFY OPERATION ON CHANNEL 237B1**

Upon grant of the instant petition, CRP will promptly file a minor change application with the Mass Media Bureau of the Commission specifying operation with Class B1 facilities and, upon grant thereof, will promptly construct and implement the proposed facilities.

Accordingly, for good cause shown herein, it is respectfully requested that the Commission amend the FM Table of Allotments (47 CFR 73.202(b)) as follows:

|                        | <u>EXISTING</u>  | <u>PROPOSED</u>   |
|------------------------|------------------|-------------------|
| Fort Bragg, California | 237A, 244A, 253A | 237B1, 244A, 253A |

In addition, it is respectfully requested that the Commission concurrently modify the license of FM Station KOZT to specify operation on Channel 237B1.

Under penalty of perjury, I hereby declare that the foregoing is true and correct to the best of my knowledge and belief.

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CALIFORNIA RADIO PARTNERS  
by

Thomas Yates  
General Partner  
Title

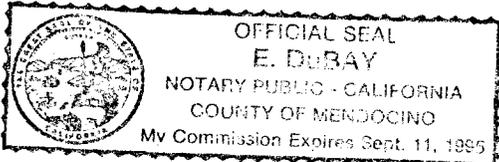
**PARTNERSHIP ACKNOWLEDGMENT**

NO. 203

State of California  
County of Mendocino } SS.

On this the 2nd. day of April 1992, before me,

E. DuBay  
the undersigned Notary Public, personally appeared  
Thomas Yates, General Partner



personally known to me  
 proved to me on the basis of satisfactory evidence to be the person(s) who executed the within instrument on behalf of the partnership, and acknowledged to me that the partnership executed it. WITNESS my hand and official seal.

E. DuBay  
Notary's Signature