

ORIGINAL  
FILE

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APR 27 1992

April 24, 1992

**Via Federal Express**

The Honorable Donna R. Searcy, Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Federal Communications Commission  
Office of the Secretary

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APR 27 1992

FCC MAIL BRANCH

Re: Amendment of FM Table of Allotments  
(Clarendon and Bald Knob, Arkansas)

Dear Ms. Searcy:

Enclosed please find an original and four copies of a Petition for Rulemaking, filed herewith on behalf of B & H Broadcasting Company, permittee of KXRC, Clarendon, Arkansas. As noted therein, the Petition requests the substitution of FM Channel 297C3 for Channel 297A at Clarendon and the substitution of FM Channel 289A for Channel 296A at Bald Knob, Arkansas. Also enclosed is an additional copy of the Petition which we would appreciate your returning to the undersigned in the enclosed postage paid, self-addressed envelope after it has been date-stamped by your office.

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter. With kind regards, I remain

Very sincerely yours,



Robert S. Stone  
Counsel to B & H Broadcasting Company

RSS/dlb  
Enclosures

cc: B & H Broadcasting Company  
Bradford D. Carey, Esq.

No. of Copies rec'd \_\_\_\_\_  
List A B C D E

874

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APR 27 1992

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), )  
Table of Allotments, )  
FM Broadcast Station. )  
(Clarendon and Bald Knob, Arkansas) )

MM Docket No. \_\_\_\_\_  
RM - \_\_\_\_\_

To: Chief, Allocations Branch

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APR 27 1992

PETITION FOR RULEMAKING

FCC MAIL BRANCH

B & H Broadcasting Company, permittee of KXRC(FM), Clarendon, Arkansas ("B&H" or "Petitioner"), by its attorneys, and pursuant to § 1.420(g)(3) of the Commission's rules, hereby respectfully submits its Petition for Rulemaking, which seeks an amendment to the Commission's Table of FM Allotments, found in § 73.202(b) of the Commission's rules, so as to substitute FM Channel 297C3 for FM Channel 297A, at Clarendon, Arkansas and 289A for 296A at Bald Knob, Arkansas. In support whereof, the following is shown:

1. As noted above, B&H currently serves as Permittee of KXRC, authorized to operate on FM Channel 297A at Clarendon, Arkansas. The channel requested by B&H as substitution for its presently assigned channel represents a mutually exclusive higher class co-channel allotment, thus requiring the deletion of FM Channel 297A. Consistent with § 1.420(g)(3) of the Commission's rules, the Commission may modify the construction permit of B&H for the operation of KXRC on the requested channel during the course of the instant rulemaking. To that end, B&H hereby sets forth its present and ongoing commitment to submit a minor change construction permit application promptly following substitution of FM Channel

297C3 for FM Channel 297A at Clarendon, so as to provide for a transmitter site which would meet all mileage separation requirements of the Commission's rules as well as all other rules governing the operation of such a facility of FM Channel 297C3. Upon grant of its application for modification of construction permit, B&H hereby commits to prompt construction and commencement of operations of KXRC on FM Channel 297C3 at Clarendon.

2. In further support of the instant request, the Commission's attention is directed to B&H's own technical feasibility study, a copy of which is attached hereto. As noted therein, based upon the geographic coordinates set forth therein, operation on FM Channel 297C3 would comply with all mileage separation requirements as well as rules governing principal community coverage and all other technical requirements with respect to Clarendon, Arkansas, B&H's community of license.

3. Favorable action on the instant request would allow B&H to increase service to the community of Clarendon and surrounding areas. Thus, the allotment of Channel 297C3 to Clarendon would further the goals underlying the Commission's decision to permit co-channel "upgrades" without accepting competing applications. Specifically, grant of B&H's request would promote spectrum efficiency and would be consistent with the Commission's policy of encouraging licensees to improve their facilities. *See, Report and Order in MM Docket No. 85-313, 60 R.R.2d 114 (1986).*

4. In order to accommodate Petitioner's request herein for the substitution of FM Channel 297C3 for FM Channel 297A at Clarendon, it will be necessary to substitute FM Channel 289A for FM Channel 296A at Bald Knob, Arkansas. Capps Radio Company ("Capps"), licensee of KKSJ(FM), Bald Knob, Arkansas, presently operates on FM Channel 296A at Bald

Knob.<sup>1</sup> Should the Commission grant B&H's petition, thereby substituting Channel 297C3 for Channel 297A at Clarendon and Channel 289A for Channel 296A at Bald Knob, Arkansas, B&H agrees to reimburse Capps for all allowable expenses incurred by Capps in converting to operation on FM Channel 289A at Bald Knob consistent with prior Commission cases. It should be noted that no change in transmitter location for KKSJ would be required. Accordingly, favorable action by the Commission on the instant petition would be consistent with its own rules of substance and procedure, non-burdensome for other licensees of the Commission, and in furtherance of the public interest, convenience, and necessity.

WHEREFORE, premises considered, B & H Broadcasting Company respectfully requests the Commission to substitute FM Channel 289A for Channel 296A at Bald Knob, Arkansas and FM Channel 297C3 for Channel 297A at Clarendon, Arkansas, and to modify the license of KKSJ and construction permit of KXRC to operate thereon as requested herein.

Respectfully submitted,

B & H BROADCASTING COMPANY

McC Campbell & Young, Its Attorneys

McCAMPBELL & YOUNG  
2021 Plaza Tower  
Post Office Box 550  
Knoxville, TN 37901-0550  
(615) 637-1440

By:   
Robert S. Stone

April 24, 1992

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<sup>1</sup> Capps had previously requested substitution of Channel 296C3 for Channel 296A at Bald Knob, Arkansas and modification of its license accordingly. However, by Report and Order, FM Table of Allotments (Bald Knob and Clarendon, Arkansas), 6 FCC Rcd 7435 (1991), Capps' request was denied. While Capps has submitted a petition for reconsideration of the above action, no stay has been requested or imposed which would preclude the filing of the instant petition.

ORIGINAL

FM Spacing study

Title: CLARENDON, AR  
Channel 297C3 (107.3 MHz)  
Database: FCC 12/24/91

Latitude: 34-42-00  
Longitude: 91-30-00  
Safety Zone: 45 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
KLRA-FM LIC	Diamond State Broadcasti	243A	5	34-32-45	251.1	46.97	12	
England	AR BMLH-900227KC	96.5	45	91-59-04	70.8	34.97	CLEAR	
*To channel 243C3 Per D90-335								
KDEW-FM LIC	Quadras, Inc.	244A	3	34-16-09	163.4	47.95	12	
De Witt	AR BLH-4896	96.7	44	91-21-02	343.5	35.95	CLEAR	
*To channel 247C2 Per D90-335								
ALLOC		294C2		34-42-05	271.5	91.65	56	
Benton	AR DOC-87-73	106.7		92-30-00	91.0	35.65	CLEAR	
SITE RESTRICTED-EFF 9-23-88-RSVD FOR KAKI PER D87-73								
KAKI	APC Bridges Broadcasting Ser	294C2	9.50	34-47-56	278.3	92.06	56	
Benton	AR BPH-881017IC	106.7	341	92-29-44	97.8	36.06	CLEAR	
ALLOC		295A		34-46-24	81.3	68.21	42	
Marianna	AR DOC-84-231	106.9		90-45-48	261.8	26.21	CLEAR	
# 77; Filing window 06/17-07/28/88 **CLOSED**								
KVNZ	CP Ramblin Communications	295A	3	34-45-41	82.8	71.92	42	
Marianna	AR BPH-880727MK	106.9	100	90-43-14	263.3	29.92	CLEAR	
CP cancelled and call letters deleted 911022								
PRM	ADD Capps Radio Company	296C3		35-11-10	336.3	61.00	99	
Bald Knob	AR RM-7544	107.1		91-46-13	156.1	-38.0	SHORT	
PRM-Site Restricted 23Km Southwest								
KKSY	LIC Capps Radio Company	296A	3	35-17-29	346.9	69.29	89	
Bald Knob	AR BLH-841214KZ	107.1	91	91-40-24	166.8	-19.7	SHORT	
PRM	DEL Capps Radio Company	296A		35-17-29	346.9	69.29	89	
Bald Knob	AR RM-7544	107.1		91-40-24	166.8	-19.7	SHORT	
PRM See note page 3 regarding Bald Knob and Dumas spacings.								
ALLOC		296A		35-17-29	346.9	69.29	89	
Bald Knob	AR	107.1		91-40-24	166.8	-19.7	SHORT	
Coordinates updated from LIC record BLH841214KZ								
KXFE	LIC Alan W. & Craig L. Easth	296A	2.75	33-53-27	181.6	89.54	89	
Dumas	AR BLH-800902AH	107.1	49	91-31-38	1.6	.54	CLOSE	
ALLOC		296A		33-53-27	181.6	89.54	89	
Dumas	AR	107.1		91-31-38	1.6	.54	CLOSE	
Coordinates updated from LIC record BLH800902AH								
KAKI	LIC Bridges Broadcasting Ser	296A	2.50	34-30-30	258.8	97.81	89	
Benton	AR BLH-781215AD	107.1	101	92-32-42	78.2	8.809	CLOSE	
*TO CHANNEL 294C2 PER D87-73								

ORIGINAL

FM Spacing study

Title: CLARENDON, AR  
Channel 297C3 (107.3 MHz)

Latitude: 34-42-00  
Longitude: 91-30-00

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License		St FCC File no.	Freq	EAH-m	Longitude	--from	(km)	(km)
KXRC	CP	B and H Broadcasting Co.	297A	3	34-37-19	121.7	12.98	142
Clarendon		AR BPH-891002MN	107.3	98	91-22-46	301.8	-129	SHORT
ALLOC			297A		34-41-30	86.9	17.59	142
Clarendon		AR DOC-84-231	107.3		91-18-30	267.0	-124	SHORT
* 29; Filing window 07/20-08/27/87 **CLOSED**								
PRM	DEL	Capps Radio Company	297A		34-41-30	86.9	17.59	142
Clarendon		AR RM-7544	107.3		91-18-30	267.0	-124	SHORT
PRM								
ALLOC			297A		35-43-03	50.6	183.1	142
Osceola		AR DOC-87-619	107.3		89-55-58	231.5	41.12	CLEAR
Site Restricted-Effective 9-6-91; Filing window 09/09-10/09/91 **CLOSED**								
NEW	APC	Pollack Broadcasting Com	297A	3	35-45-59	49.4	186.8	142
Osceola		AR 911009ME	107.3	68	89-55-43	230.3	44.83	CLEAR
ALLOC			297C		34-57-50	277.6	265.0	237
Poteau		OK	107.3		94-22-34	96.0	27.95	CLEAR
Coordinates updated from LIC record BLH851015KA								
KBSY	LIC	Landmark Communications,	297C	100	34-57-50	277.6	265.0	237
Poteau		OK BLH-851015KA	107.3	552	94-22-34	96.0	27.95	CLEAR
ALLOC			298C3		33-56-20	144.1	101.8	99
Rosedale		MS DOC-89-415	107.5		90-51-10	324.5	2.826	CLOSE
Effective 11-18-91-Rsvd for WEZU, Cleveland, MS per D89-415								
KKTZ	LIC	Eustis-Wichert Communica	298C1	100	36-12-18	339.8	180.2	144
Mountain Home		AR BLH-850520KF	107.5	232	92-11-40	159.4	36.21	CLEAR
KKTZ	CP	Eustis-Wichert Communica	298C1	100	36-12-18	339.8	180.2	144
Mountain Home		AR BPH-890412IA	107.5	200	92-11-40	159.4	36.21	CLEAR
ALLOC			298C1		36-12-18	339.8	180.2	144
Mountain Home		AR	107.5		92-11-40	159.4	36.21	CLEAR
Coordinates updated from LIC record BLH850520KF								
ALLOC			299A		34-36-06	262.3	66.33	42
Wrightsville		AR	107.7		92-13-00	81.9	24.33	CLEAR
EFFECTIVE 10-8-87; Filing window 10/09-11/09/87 **CLOSED**								
KYTN	CP	Wrightsville Communicati	299A	3	34-36-24	263.0	68.20	42
Wrightsville		AR BPH-871109ME	107.7	100	92-14-17	82.6	26.20	CLEAR
DOC-90-61								

ORIGINAL

FM Spacing study

Title: CLARENDON, AR  
 Channel 297C3 (107.3 MHz)

Latitude: 34-42-00  
 Longitude: 91-30-00

Call City of License	Auth License	Licensee name St	FCC File no.	Chan Freq	ERP-kW EAB-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
KYTN Wrightsville	APC	Wrightsville Communicati AR	BMPH-910125ID	299A 107.7	2.70 149	34-36-24 92-14-17	263.0 82.6	68.20 26.20	42 CLEAR
PRM Wrightsville	DEL	Wrightsville Communicati AR		299A 107.7		34-36-24 92-14-17	263.0 82.6	68.20 26.20	42 CLEAR
PRM Wrightsville	ADD	Wrightsville Communicati AR		299C2 107.7		34-26-24 92-14-17	248.4 68.0	72.91 16.91	56 CLEAR
ALLOC Jonesboro				300C1 107.9		35-47-56 90-44-31	28.8 209.3	141.7 65.70	76 CLEAR

Coordinates updated from LIC record

BLH6136

>> End of channel 297C3 study <<

NOTE. Short spacing between KKJY Bajd Knob will be eliminated by the enclosed petition to change the operating frequency of KKJY from Channel 296A to Channel 289A.

Craig Eastham, Manager of KXFE Dumas, AR told me about a month ago that he was filing an application with the FCC to change KXFE from Channel 296A to 295C3. If he does that and it is granted there will be no problem with short spacing with our Class C3 proposal. This spacing study was made, showing coordinates for KXRC at 34-41-00/91-30-00. I changed that to 34-42-00/91-30-00 in order to eliminate a 1.06 km short spacing between the two. With the coordinates as shown now this short spacing has been eliminated. However, spacing to other stations listed will be changed slightly. All other spacings are left clear.

*Earl N. Hodges*

## FM Spacing study

Title: BALD KNOB, AR  
Channel 289A (105.7 MHz)  
Database: FCC 12/24/91

Latitude: 35-17-29  
Longitude: 91-40-24  
Safety zone: 30 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
ALLOC			235C		34-26-31	207.9	106.6	29
Maumelle	AR	DOC-90-493	94.9		92-13-03	27.6	77.56	CLEAR
Effective 10-15-91-RSVD For KOLLFM Per D90-493								
ALLOC			236C1		36-32-58	4.5	140.0	22
Mammoth Spring	AR		95.1		91-33-05	184.5	118.0	CLEAR
Coordinates updated from LIC record BLH861008KH								
KMJX	LIC	Magic Broadcasting of Li	286C1	81	34-47-53	233.9	92.64	75
Conway	AR	BLH-871223KB	105.1	321BT	92-29-33	53.4	17.64	CLEAR
ALLOC			286C1		34-47-53	233.9	92.64	75
Conway	AR		105.1		92-29-33	53.4	17.64	CLEAR
Coordinates updated from LIC record BLH871223KB								
KHOX	LIC	Dennis Harold Mitchell	287A	3	36-02-24	36.5	103.8	31
Hoxie	AR	BMLH-900618KC	105.3	49	90-59-11	216.9	72.77	CLEAR
ALLOC			288A		34-25-52	167.2	97.88	72
Stuttgart	AR		105.5		91-26-08	347.3	25.88	CLEAR
Coordinates updated from LIC record BLH871221KE								
KXDX	LIC	Arkansas County Broadcas	288A	2.70	34-25-52	167.2	97.88	72
Stuttgart	AR	BLH-871221KE	105.5	105	91-26-08	347.3	25.88	CLEAR
ALLOC			288C2		36-20-55	331.1	134.4	106
Mountain Home	AR	DOC-90-598	105.5		92-24-01	150.6	28.45	CLEAR
Effective 5-28-91-Rsvd For KPFFM Per D90-598								
ALLOC			289A		33-30-58	172.3	198.7	115
Dermott	AR	DOC-84-231	105.7		91-23-04	352.4	83.71	CLEAR
# 38 - SITE RESTRICTED; Filing window 10/28-12/03/87 **CLOSED**								
ALLOC			290C1		34-22-20	230.9	160.7	133
Hot Springs	AR	DOC-86-154	105.9		93-01-51	50.1	27.68	CLEAR
EFFECTIVE 07-01-88-RSVD FOR KLAZ PER D86-154								
KLAZ	LIC	Noalmark Broadcasting Co	290C1	95	34-22-20	231.2	161.9	133
Hot Springs	AR	BLH-890619KC	105.9	303	93-02-51	50.4	28.86	CLEAR
WGKX	LIC	Kix Broadcasting, Inc.	290C	100	35-09-17	94.6	169.2	165
Memphis	TN	BLH-891221KC	105.9	303	89-49-20	275.7	4.207	CLOSE
ALLOC			290C		35-09-17	94.6	169.2	165
Memphis	TN		105.9		89-49-20	275.7	4.207	CLOSE
Coordinates updated from LIC record BLH891221KC								

## FM Spacing study

Title: BALD KNOB, AR  
Channel 289A (105.7 MHz)Latitude: 35-17-29  
Longitude: 91-40-24

Call City of License	Auth License	Licensee name St FCC File no.	Chan Freq	ERP-kW EAB-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
ALLOU			291C2		35-40-58	308.6	70.10	55
Fairfield Bay		AR DOC-86-154	106.1		92-16-47	128.2	15.10	CLOSE
Site Restricted-Effective 07-01-88-Reserved For KFFB Per D86-154								
KFFB	LIC	Robert W. Holiday & Rose	291C2	15.5	35-44-00	312.9	72.39	55
Fairfield Bay		AR BLH-900911KD	106.1	268	92-15-37	132.6	17.39	CLEAR
KMZU	LIC	Lonoke Broadcasting Inc.	292A	2.50	34-46-30	199.2	60.68	31
Lonoke		AR BLH-881021KB	106.3	108	91-53-33	19.1	29.68	CLEAR
To Amend to channel 292C2 Per D90-105								
ALLOU			292C2		34-37-02	190.3	76.03	55
Lonoke		AR DOC-90-105	106.3		91-49-22	10.3	21.03	CLEAR
Site Restricted-Effective 9-30-91-Rsvd For KMZU Per D90-105								

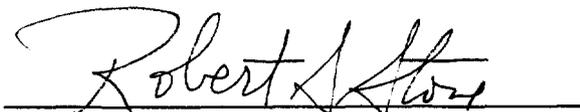
&gt;&gt; End of channel 289A study &lt;&lt;

**CERTIFICATE OF SERVICE**

I certify that a true and perfect copy of the foregoing Petition for Rulemaking has been served upon the following persons by placing same in the United States Mail with sufficient postage thereon, this 24th day of April, 1992:

Michael C. Ruger  
Assistant Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 8337  
Washington, D.C. 20554

Bradford D. Carey, Esq.  
Walker, Bordelon, Hamlin, Theriot & Hardy  
701 South Peters Street  
New Orleans, LA 70130  
Counsel to John Paul Capps, Elizabeth  
Capps, d/b/a Capps Radio Company

  
\_\_\_\_\_  
Robert S. Stone