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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

APR 29 1992

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations)
(Manitowoc, Wisconsin))

Federal Communications Commission
Office of the Secretary

RM _____

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RULE MAKING

CUB Radio, Inc. ("CUB") hereby petitions for rule making to amend the FM Table of Allotments in Section 73.202(b) of the Commission's Rules and Regulations to substitute Channel 221C3 for Channel 221A at Manitowoc, as follows:

<u>City</u>	<u>Existing</u>	<u>Proposed</u>
Manitowoc, WI	221A	221C3

Channel 221A is currently occupied by Station WLTU(FM), Manitowoc, an operating station licensed to CUB. Concurrent with a change in the Table of Allotments, CUB requests that its license for WLTU be modified to specify operation on Channel 221C3, subject to the filing and grant of an appropriate application for a construction permit for new facilities.^{1/}

The existing WLTU transmitter site does not meet all mileage separations required by Section 73.207(a) of the Rules,

^{1/} Because the proposed allotment of Channel 221C3 is mutually exclusive with WLTU's existing Class A allotment, CUB's license may be modified without making Channel 221C3 available for competing applications.

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but CUB has identified an alternative reference point that does comply.^{2/} Since a fully spaced reference point has been specified, the requested change in the Table of Allotments is consistent with Commission policy.^{3/} The proposed reference point is on open farm land, is not separated from Manitowoc by any terrain obstruction, and is close enough to achieve 3.16 mV/m coverage of the entire community of license^{4/}; so it is not a site where tower construction would necessarily be precluded or fail to comply with Commission requirements.^{5/} CUB is aware that it must submit a detailed showing that its proposal will not preclude the establishment of noncommercial FM service on Channels 218, 219, and 220 and will not cause interference to reception of television signals on Channel 6. Further materials demonstrating compliance with this requirement will be submitted by amendment to this Petition.^{6/}

The factual statements in this Petition are supported by the signature of CUB's President below. In further support,

^{2/} No other changes in the Table are required or proposed to accommodate the upgrade at Manitowoc.

^{3/} See Tahlequah, OK, MM Docket No. 90-617, DA 82-456, 4/22/92.

^{4/} The distance from the reference coordinates to the furthest boundary of Manitowoc is 14.7 km. The 3.16 mV/m contour of a full facility Class C3 station extends approximately 23.8 km from the transmitter site.

^{5/} CUB may not necessarily move its transmitter to these coordinates, nor is it required to do so. Melbourne, Florida, 5 FCC Rcd 1031, 1032 (MM Bur. 1990). CUB will, however, propose Class C3 operation that conforms with the Commission's rules.

^{6/} CUB's Engineering Consultant, Lyle Robert Evans, has advised CUB that he has discussed his plans to prepare this showing with Mr. Stanley Shmulewitz of the Allocations Branch.

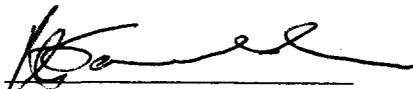
CUB Radio, Inc., respectfully submits the Engineering Statement prepared by Lyle Robert Evans, Broadcast Consultant, attached hereto as Appendix 1.

Inasmuch as Manitowoc, Wisconsin and vicinity shall receive a vastly improved local FM broadcast transmission service Petitioner concludes its Proposed Rule Making is in the public interest.

If the Commission goes forward to make the allotment hereby petitioned, CUB Radio, Inc., Licensee of Radio Station WLTU(FM), shall immediately make Application to the Federal Communications Commission, on FCC Form 301, for a Construction Permit to specify operation of station WLTU(FM), on Channel 221C3, as allotted at Manitowoc, Wisconsin.

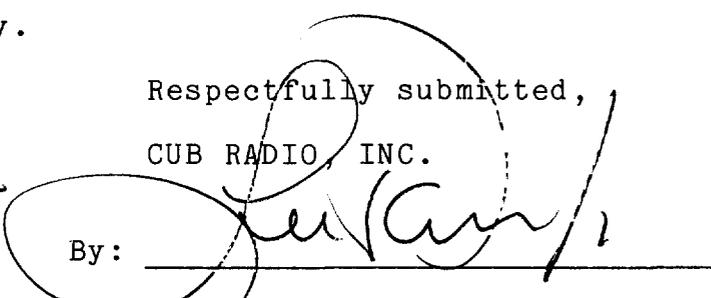
Upon a grant of such application by the Commission, Petitioner shall promptly construct and license the permitted facility.

Of Counsel:


Peter Tannenwald

Arent Fox Kintner
Plotkin & Kahn
1050 Connecticut Ave., N.W.
Washington, DC 20036-5339
(202) 857-6024

Respectfully submitted,
CUB RADIO, INC.

By: 

Lee Davis Jr., President
CUB Radio, Inc.

February 17, 1992

Filed: April 29, 1992

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

ENGINEERING STATEMENT

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

TO: THE COMMISSION

PREPARED FOR:
CUB RADIO, INC.

FEBRUARY 15'TH, 1992

PREPARED BY:
LYLE ROBERT EVANS
BROADCAST CONSULTANT
1391 NORTH ROAD
GREEN BAY, WISCONSIN 54313
(414) 494-6061

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 1391 NORTH ROAD, GREEN BAY, WISCONSIN, 54313.

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 16'TH DAY OF
FEBRUARY, 1992.



NOTARY PUBLIC

DATE OF COMMISSION EXPIRATION: 5/14/95

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20054

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

ENGINEERING STATEMENT

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

CUB Radio, Inc., the Petitioner, Licensee of Station WLTU(FM), Manitowoc, Wisconsin, retained the services of Lyle Robert Evans, Broadcast Consultant, to conduct engineering studies and prepare necessary Statements and Attachments to support the Petition of CUB Radio, Inc., to amend Section 73.202(b) of the Commission's Rules and Regulations, to allot FM Channel 221C3 to Manitowoc, Wisconsin, and to modify the License of of station WLTU(FM), Manitowoc, to specify operation as a Class C3 station.

The transmitting antenna geographic coordinates specified on the WLTU(FM) Station License, FCC File Number: BLH-860117KB are; 44°-07'-31" North Latitude, 87°-37'-41"

West Longitude.

Attachment E-A to this Statement is a FM Channel 221C3 Distance Separation Study with these coordinates as base.

A review of Attachment E-A displays an allotment of FM Channel 221C3 at the Station WLTU(FM) licensed site coordinates "Short-Spaced" to minus 400 kilohertz adjacent channel Station WSHS(FM), Sheboygan, Wisconsin; to co-channel 221A allotment at Beulah, Michigan; and to co-channel 221A application BLH-900419MV at Beulah, Michigan. Such "Short-Spacings" in contravention with Minimum Distance Separation Requirements for FM Allotments, set forth in 47 Code of Federal Regulations, Section 73.207.

To allot FM Channel 221C3 to Manitowoc, Wisconsin, and comply with Commission minimum distance separation requirements for FM allotments, it is necessary to restrict the transmitter site of a Class C3 operation by Station WLTU(FM) to a location Northwest of Manitowoc, Wisconsin.

A restricted transmitting antenna/tower location for a Class C3 operation by Station WLTU(FM) 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 site location is 12.20 kilometers (7.58 miles) distant, at a

bearing of 303.6 degrees True from the Manitowoc, Wisconsin, reference coordinates, set forth in the National Atlas as: 44°-05'-12" North Latitude, 87°-39'-42" West Longitude.

Attachment E-B to this Statement, a FM Channel 221C3 Distance Separation Study with illustrative, restricted transmitting antenna coordinates; 44°-08'-51" North Latitude, 87°-47'-19" West Longitude, as base, evidences the proposed illustrative site in complete compliance with all Commission minimum distance separation requirements for FM radio broadcast stations.

The geographic coordinates of the most distant point on the City of Manitowoc Corporate Boundary (City-Limits) from this illustrative site have been determined to be; 44°-03'-29" North Latitude, 87°-39'-12" West Longitude.

This distance from the specified illustrative antenna/tower site location to this most distant point has been calculated to be 14.69 kilometers (9.13 miles) at a bearing of 132.5 degrees True.

A typical "full-facility" Class C3 operation (25.0 kilowatt radiated from an antenna radiation center 100.0 meters above average terrain) by Station WLTU(FM) at this illustrative site shall provide the requisite 70 dBu (3.16 mV/m) "Principal Community" signal to all Manitowoc.

The allotment of Channel 221C3 to Manitowoc,

Wisconsin, or a typical "full-facility" Class C3 operation by Station WLTU(FM) from the illustrative antenna/tower site geographic coordinates proposed, shall not preclude any new or improved Reserved Band Station operation, at any location, on FM Channels 220, 219 or 218.

The inter-relationship of assignments, applications and allotments on FM Channels 215, 216, 217, 218, 219, 220, 221, 222 and 223 already preclude any Reserved Band channel changes relating to the proposed allotment of FM Channel 221C3 at Manitowoc, Wisconsin.

The most recent applicable FCC Rules and Regulations have been used in preparation of this Engineering Statement and associated Attachments.

It is believed to conform to the Commission's FM Technical Standards,

Respectfully submitted,



Lyle R. Evans,
Technical Consultant to:
CUB, Radio, Inc.

February 15, 1992

ENGINEERING STATEMENT; CONCLUDED

CHANNEL STUDY

LOCATION: MANITOWOC, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 221
 FREQUENCY: 92.1 MHZ.
 ZONE: II
 CLASS: C3
 COORDINATES: 44°-07'-31" N.L., 87°-37'-41" W.L. (WLTU LICENSED COORDINATES)
 PETITIONER: CUB RADIO, INC.
 CALL SIGN: WLTU(FM)
 FCC FILE: BLH-860117KB
 DATE: FEBRUARY 14, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAH(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WGBW LIC	GREEN BAY WI	BLED-1286	218A 91.5	3.00 35.05	44-31-53 87-55-16	332.6	50.80 8.80	42.0 CLEAR
WGBW CP	GREEN BAY WI	BPED-900116MI	218C3 91.5	16.00 100.00	44-31-23 87-55-09	332.3	49.91 6.91	43.0 CLEAR
WSHS CP	SHEBOYGAN WI	BPED-860624MA	219A 91.7	0.10 24.08	43-46-37 87-43-08	190.7	39.37 2.63	42.0 SHORT
WJCH LIC	JOLIET IL	BLED-860505KF	220B 91.9	50.00 150.57	41-24-55 88-16-18	189.9	305.55 160.55	145.0 CLEAR
WMAD-FM LIC	SUN PRAIRIE WI	BLH-790530AM	221A 92.1	1.75 121.92	43-10-25 89-15-26	231.2	168.60 26.60	142.0 CLEAR
NEW APP	BEULAH MI	BPH-900419MV	221A 92.1	1.65 135.03	44-38-44 86-01-42	65.6	139.88 2.12	142.0 SHORT
ALLOT ADD	BEULAH MI	DOC. NO: 89-361	221A 92.1		44-37-36 86-05-54	65.4	134.00 8.00	142.0 SHORT
WLTU LIC	MANITOWOC WI	BLH-860117KB	221A 92.1	1.69 127.71	44-07-31 87-37-41	00.0	00.00 142.00	142.0 SHORT#
WJMQ ORD	CLINTONVILLE WI	BPH-911220ID	222A 92.3	6.00 91.44	44-34-00 88-44-36	289.9	101.50 12.50	89.0 CLEAR
WBWI-FM LIC	WEST BEND WI	BLH-831212AK	223B 92.5	19.50 158.19	43-25-45 88-17-53	214.9	94.26 23.26	71.0 CLEAR

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CHANNEL STUDY

LOCATION: MANITOWOC, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 221
 FREQUENCY: 92.1 MHZ.
 ZONE: II
 CLASS: C3
 COORDINATES: 44°-07'-31" N.L., 87°-37'-41" W.L. (WLTU LICENSED COORDINATES)
 PETITIONER: CUB RADIO, INC.
 CALL SIGN: WLTU(FM)
 FCC FILE: BLH-860117KB
 DATE: FEBRUARY 14, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAH(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WAUN LIC	KEWAUNEE WI	BLH-841210LL	224A 92.7	3.00 100.00	44-29-50 87-35-12	4.6	41.50 0.50	42.0 SHORT*
WRVM LIC	SURING WI	BLH-3788	274C1 102.9	100.00 152.40	44-59-30 88-23-55	327.6	114.05 90.05	24.0 CLEAR
WLZR-FM CP	MILWAUKEE WI	BPH-890125IA	275B 103.1	50.00 132.89	43-02-49 87-58-52	193.4	123.12 106.12	17.0 CLEAR

-----END CHANNEL 221C3 STUDY-----

NOTES: * The allotment whose indicated distance separation status is followed by an asterisk (*) complies with applicable FCC minimum distance separation requirements by utilization of "5/4" rounding.

The allotment whose indicated distance separation status is followed by a pound sign (#) is the allotment the Petitioner proposes a to reclassify from A to C3.

CHANNEL STUDY

LOCATION: MANITOWOC, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 221
 FREQUENCY: 92.1 MHZ.
 ZONE: II
 CLASS: C3
 COORDINATES: 44°-08'-51" N.L., 87°-47'-19" W.L. (ILLUSTRATIVE COORDINATES)
 PETITIONER: CUB RADIO, INC.
 CALL SIGN: WLTU(FM)
 FCC FILE: BLH-860117KB
 DATE: FEBRUARY 14, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAH(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WGBW LIC	GREEN BAY WI	BLD-1286	218A 91.5	3.00 35.05	44-31-53 87-55-16	349.5	43.31 1.31	42.0 CLEAR
WGBW CP	GREEN BAY WI	BPED-900116MI	218C3 91.5	16.00 100.00	44-31-23 87-55-09	346.0	43.00 00.00	43.0 CLEAR
WSHS CP	SHEBOYGAN WI	BPED-860624MA	219A 91.7	0.10 24.08	43-46-37 87-43-08	172.3	41.54 -0.46	42.0 SHORT*
WJCH LIC	JOLIET IL	BLD-860505KF	220B 91.9	50.00 150.57	41-24-55 88-16-18	187.4	306.01 161.01	145.0 CLEAR
WMAD-FM LIC	SUN PRAIRIE WI	BLH-790530AM	221A 92.1	1.75 121.92	43-10-25 89-15-26	227.6	160.37 18.37	142.0 CLEAR
NEW APP	BEULAH MI	BPH-900419MV	221A 92.1	1.65 135.03	44-38-44 86-01-42	68.5	150.67 12.67	142.0 CLEAR
ALLOT ADD	BEULAH MI	DOC. NO: 89-361	221A 92.1		44-37-36 86-05-54	68.4	144.74 2.74	142.0 CLEAR
WLTU LIC	MANITOWOC WI	BLH-860117KB	221A 92.1	1.69 127.71	44-07-31 87-37-41	100.9	13.07 128.93	142.0 SHORT#
WJMQ ORD	CLINTONVILLE WI	BPH-911220ID	222A 92.3	6.00 91.44	44-34-00 88-44-36	301.5	89.19 0.19	89.0 CLEAR
WBWI-FM LIC	WEST BEND WI	BLH-831212AK	223B 92.5	19.50 158.19	43-25-45 88-17-53	207.2	89.70 18.70	71.0 CLEAR

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 SERVICE: COMMERCIAL FM
 CHANNEL: 221
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