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**JUN - 2 1992**

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

**FEDERAL COMMUNICATIONS COMMISSION**  
**OFFICE OF THE SECRETARY**

In re Applications of ) MM DOCKET NO. 92-70  
)  
**SABLE COMMUNITY BROADCASTING** )  
**CORPORATION** ) File No. BPED-851003MB  
Channel 217A )  
Hobson City, Alabama )  
)  
**BOARD OF TRUSTEES SHORTER COLLEGE** ) File No. BPED-860205MD  
Channel 217A )  
Rome, Georgia )  
)  
**GADSDEN STATE COMMUNITY COLLEGE** ) File No. BPED-860307MK  
Channel 217C2 )  
Gadsden, Alabama )  
)  
**TRINITY CHRISTIAN ACADEMY** ) File No. BPED-860512MB  
Channel 217A )  
Oxford, Alabama )  
)  
For Construction Permits for )  
New and Modified Noncommercial )  
FM Facilities on Channel 217 )

To: Administrative Law Judge  
Arthur I. Steinberg

**MASS MEDIA BUREAU'S COMMENTS**  
**IN SUPPORT OF MOTION FOR LEAVE TO AMEND**

1. On May 21, 1992, Gadsden State Community College ("Gadsden State") filed a Motion for Leave to Amend its above-captioned application to change its technical proposal. The Mass Media Bureau submits the following comments in support.

2. Gadsden State's amendment would substitute Channel 218

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for its presently proposed Channel 217, and make other technical modifications. The change would eliminate the mutual exclusivity between Gadsden State and the above-captioned competing applicants. Thus, acceptance of the amendment would lead to the grant of Gadsden State's application.<sup>1</sup>

3. The Bureau's engineering staff has analyzed the proffered amendment and has concluded that the amendment conforms with the Commission's technical standards. We are of the view that Gadsden State has shown good cause for acceptance of the amendment, for the reasons set forth in the Motion. Gadsden State had submitted substantially the same amendment pre-designation, but the amendment was returned because it constituted a "major change." See Revision of Sections 73.3571, 73.3572 and 73.3573 of the Commission's Rules, 5 FCC Rcd 2993 (1990). The "major change" rule is not applicable to post-designation amendments. Revision, supra, at n. 10; California Broadcasting Corporation, 90 FCC 2d 800, 808 (1982), and cases cited therein. See also Rebecca Radio of Marco, 4 FCC Rcd 830 (1989). There is further good cause here because acceptance of the amendment would simplify, if not eliminate the need for, the above-captioned proceeding. Cf. Las Americas Communications,

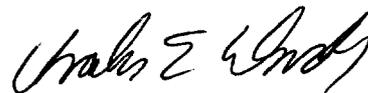
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<sup>1</sup> As Gadsden State acknowledges, at n. 2, Gadsden State must first resolve a pending issue concerning Section 73.525 of the Commission's Rules, which deals with Channel 6 protection. See Hearing Designation Order, 7 FCC Rcd 2356 (1992).

Inc., 5 FCC Rcd 1634 (1990); Rebecca Radio of Marco, supra.

4. Accordingly, the Bureau supports acceptance of Gadsden State's proffered amendment.

Respectfully submitted,  
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Chief, Mass Media Bureau



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June 2, 1992

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch Mass Media Bureau, certifies that she has, on this 2nd day of June, 1992, sent by regular United States mail, U.S. Government frank, copies of the foregoing "Mass Media Bureau's Comments in Support of Motion for Leave to Amend" to:

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