

ORIGINAL

**ORIGINAL
FILE**

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

RECEIVED

JUN 11 1990

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations)
(Cleveland and Belzoni,)
Mississippi))

MM Docket 92-157
RM - 7462

To: The Chief, Allocations Branch

PETITION FOR RULE MAKING

Comes now Robert G. Johnston, Trustee (hereafter "Johnston"), licensee of Station WQAZ(FM) at Cleveland, Mississippi, pursuant to Section 1.401 of the Commission's Rules, and respectfully petitions the Commission to amend the FM Table of Allotments, 47 C.F.R. 73.202(b), to substitute FM Channel 225C2 for Channel 224A at Cleveland, Mississippi, and the modification of the license of Station WQAZ(FM) to specify operation on the higher-class channel. To accommodate the Cleveland channel substitution, Johnston proposes the concomitant substitution of Channel 292A for vacant Channel 225A at Belzoni, Mississippi.

Proposal of Petitioner:

<u>City</u>	<u>Channel Numbers</u>	
	<u>Present</u>	<u>Proposed</u>
Cleveland, Mississippi	224A, 280A, 295A	225C2, 280A, 295A
Belzoni, Mississippi	225A, 296A	292A, 296A

In support of this proposal, the following information is submitted for consideration:

Cleveland (population 14,524) 1/ is an incorporated city located in northwest Mississippi, approximately 168 kilometers (104 miles) north-northwest of Jackson. It is one of two county seats of Bolivar County, Mississippi (population 45,965). Adoption of this proposal will provide Cleveland and Bolivar County with its first wide-coverage FM station.

Attached hereto and made a part of this petition is a Technical Exhibit in support of the requested changes in the Table of Allotments. Based on the information contained therein, it appears that Channel 225C2 could be

1/ Population figures from the 1980 U.S. Census.

substituted for Channel 224A in compliance with the minimum distance requirements of Section 73.207(b) of the Commission's Rules, providing Channel 292A is substituted for Channel 225A 2/ at Belzoni, Mississippi. Channel 292A at Belzoni, Mississippi would be made available upon final adoption of Mass Media Docket No. 89-373 (RM-6873), in which Station WLTD(FM) at Lexington, Mississippi has proposed to move from Channel 292A to Channel 290C3 (this docket is uncontested and a Report and Order should be adopted in the near future).

By changing the FM Table of Allotments as requested herein, a more efficient use of the available spectrum would result, providing increased FM service to the rural area surrounding Cleveland, Mississippi.

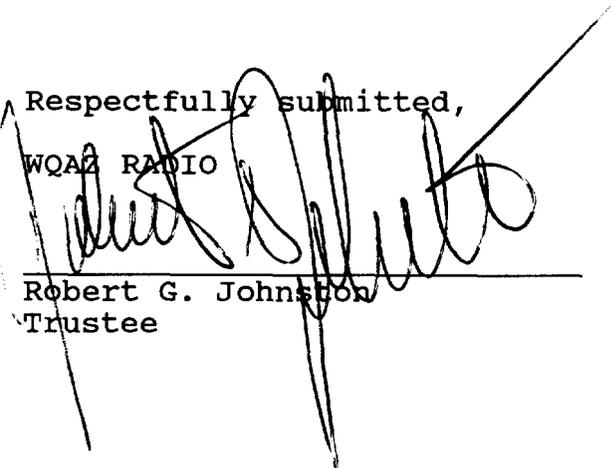
If this proposal is adopted, Robert G. Johnston, Trustee, will file an application seeking Class C2 facilities for WQAZ(FM).

2/ Channel 225A was allocated to Belzoni in MM Docket No. 84-231. There is one pending application for the channel. In accordance with Commission policy, should the changes proposed herein be effectuated, the applicant for Channel 225A at Belzoni, Larry Rogers Scott, would be permitted to amend his application (File No. 870327KD) to specify a non-short-spaced site. See *Manhattan and Ogden, Kansas*, 2 FCC Rcd. 5081 (1987).

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, Section 73.202(b), be amended as requested herein.

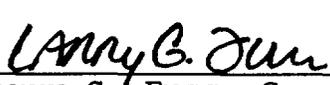
Respectfully submitted,

WQAZ RADIO


Robert G. Johnston
Trustee

By:

CONTEMPORARY COMMUNICATIONS


Larry G. Fuss, Consultant
P.O. Box 159
Fayetteville, GA 30214
(404) 460-6159

June 6, 1990

TECHNICAL EXHIBIT

**IN SUPPORT OF
PETITION FOR RULE MAKING**

SUBSTITUTION OF:

**FM CH. 225C2 FOR FM CH. 224A AT CLEVELAND, MISSISSIPPI
FM CH. 292A FOR FM CH. 225A AT BELZONI, MISSISSIPPI**

**AND MODIFICATION OF LICENSE
OF WQAZ(FM) CLEVELAND, MISSISSIPPI
TO SPECIFY OPERATION ON THE HIGHER-CLASS CHANNEL**

ROBERT G. JOHNSTON, TRUSTEE

Prepared May 30, 1990

**CONTEMPORARY COMMUNICATIONS
Broadcast Consultants
Post Office Box 159
Fayetteville, GA 30214
Phone: (404) 460-6159
Fax: (404) 460-6129**

TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING

SUBSTITUTION OF:

FM CH. 225C2 FOR FM CH. 224A AT CLEVELAND MISSISSIPPI
FM CH. 292A FOR FM CH. 225A AT BELZONI, MISSISSIPPI

AND MODIFICATION OF LICENSE
OF WQAZ(FM) CLEVELAND, MISSISSIPPI
TO SPECIFY OPERATION ON THE HIGHER-CLASS CHANNEL

ROBERT G. JOHNSTON, TRUSTEE

INTRODUCTION

This Technical Exhibit supports the petition of Robert G. Johnston, Trustee, seeking to amend the FM Table of Allotments, Section 73.202(b) of the Rules, by substituting FM Channel 225C2 for FM Channel 224A at Cleveland, Mississippi, and the modification of Station WQAZ(FM)'s license to specify operation on the higher-class channel. To accommodate the Cleveland channel substitution, Johnston proposes a concomitant change in the FM Table of Allotments at Belzoni, Mississippi, by substituting Channel 292A for vacant channel 225A.

ALLOCATION

A study was performed using the computerized SEARCHFM frequency search program and the current FCC/NTIS database to determine if Channel 225C2 could be allocated to Cleveland in

compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules. The results of that study clearly indicate that Channel 225C2 could be substituted for Channel 224A, in full compliance with Section 73.207(b), at WQAZ(FM)'s presently authorized transmitter site 1/. Furthermore, Channel 292A could be substituted for Channel 225A 2/ at Belzoni, Mississippi, in full compliance with Section 73.207(b), proving a site restriction approximately 8 kilometers (5 miles) southeast of Belzoni were imposed 3/. The site-restriction would be necessary in order to avoid short-spacing to Station WAID(FM), Channel 292A at Clarksdale, Mississippi; and to Station KNAN(FM), Channel 291C at Monroe, Louisiana. Channel 292A at Belzoni,

1/ The "usable area" for Channel 225C2 is shown on the attached map, which indicates the required separation limits from the affected co-channel and adjacent channel allocations and stations, and the maximum distance within which a Class C2 facility may be located while still providing the requisite 70 dBu contour over the city of Cleveland.

2/ Channel 225A was allocated to Belzoni in MM Docket No. 84-231. There is one pending application for the channel. In accordance with Commission policy, should the changes proposed herein be effectuated, the applicant for Channel 225A at Belzoni, Larry Rogers Scott, would be permitted to amend his application (File No. 870327KD) to specify a non-short-spaced site. See *Manhattan and Ogden, Kansas*, 2 FCC Rcd. 5081 (1987).

3/ The "usable area" for Channel 292A is shown on the attached map, which indicates the required separation limits from the affected co-channel and adjacent channel allocations and stations, and the maximum distance within which a Class A facility may be located while still providing the requisite 70 dBu contour over the city of Belzoni.

Mississippi would be made available upon final adoption of Mass Media Docket No. 89-373 (RM-6873), in which Station WLTD(FM) at Lexington, Mississippi has proposed to move from Channel 292A to Channel 290C3 (this docket is uncontested and a Report and Order should be adopted in the near future).

A site at the reference coordinates specified in the search would be close enough to Belzoni to insure adequate city-grade (70 dBu) coverage to the entire city, in full compliance with Section 73.315(a) and (b).

CONCLUSION

By changing the FM Table of Allotments as requested herein, a more efficient use of the available spectrum would result. Station WQAZ(FM) would be permitted to upgrade to a Class C2 facility and a Class A allotment at Belzoni would be retained.

Copies of the computerized studies for Channel 225C2 at Cleveland, Mississippi, and Channel 292A at Belzoni, Mississippi, are attached hereto and made a part of this report (only those stations and channels sufficiently close for concern are listed therein).

###

CONTEMPORARY COMMUNICATIONS
P.O. Box 159 - Fayetteville GA

WQAZ (FM) - CLEVELAND, MS
C2 UPGRADE STUDY

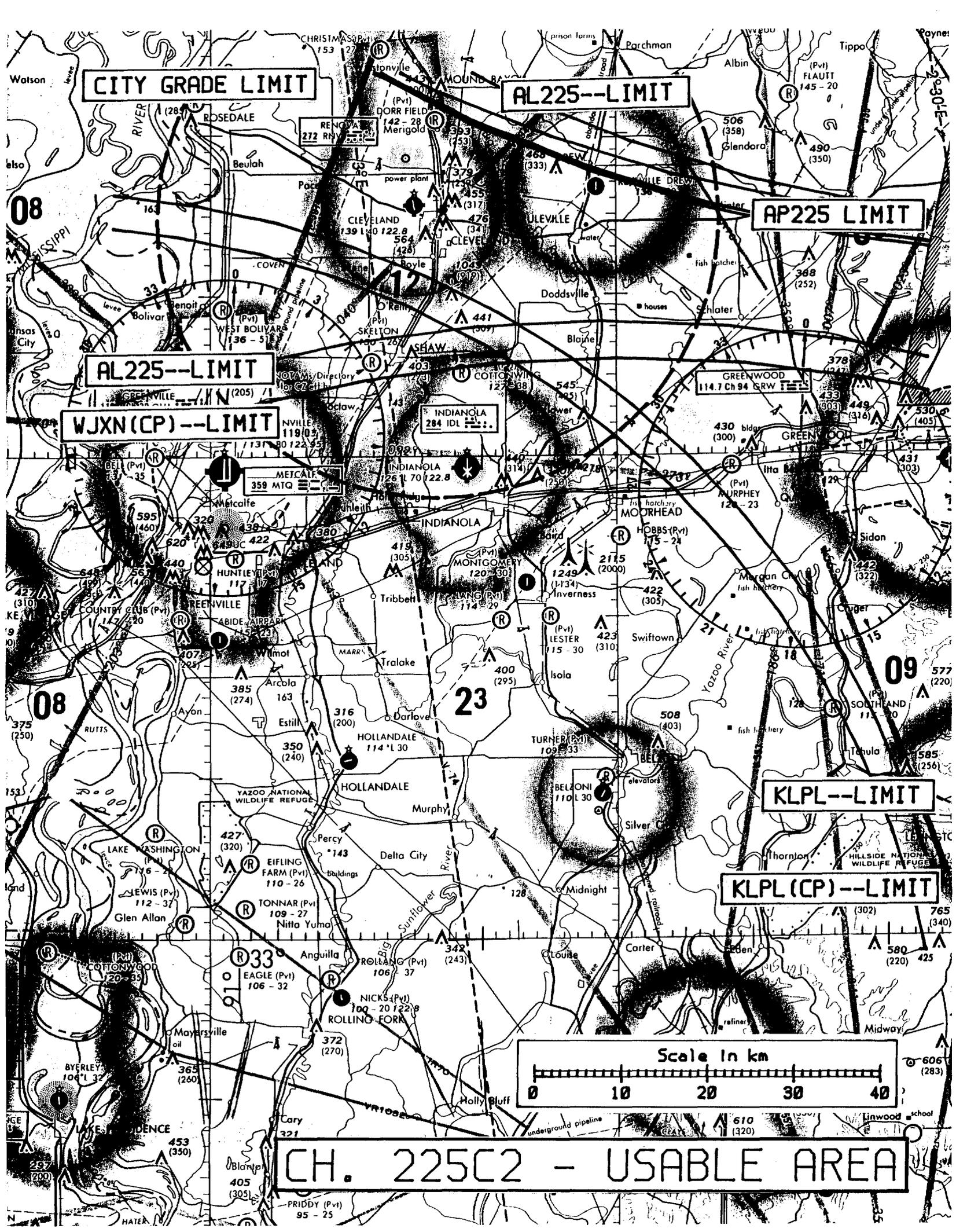
REFERENCE		CLASS C2	DISPLAY DATES
33 45 12 N		Current rules spacings	DATA 04-25-90
90 42 45 W		CHANNEL 225 - 92.9 MHz	SEARCH 05-27-90

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WQAZ LI CN	224A 33 45 12	Cleveland 90 42 45	MS 3.000 kW	0.0 80M	0.00 0.0	106.0 65.9	-106.00 *
		WQAZ Limited				BLH860331KC	
AL225 AL N	225A 33 10 54	Belzoni 90 29 12	MS 0.000 kW	161.7 0M	66.79 41.5	166.0 103.2	-99.21 *
		84-231					860102
		># 4					
KLPLFM LI CN	224A 32 49 02	Lake Providence 91 12 35	LA 2.000 kW	204.0 44M	113.68 70.7	106.0 65.9	7.68
		New Directions Broadcasting,				BLH6445	
AP225 AP CN	225A 35 12 01	Bartlett 89 54 49	TN 3.000 kW	24.6 100M	176.49 109.7	166.0 103.2	10.49
		Richard P. Bott				BPH871224ME	881007
AP225 AP CN	225A 35 12 24	Bartlett 89 55 28	TN 3.000 kW	24.2 100M	176.72 109.8	166.0 103.2	10.72
		Raymond J. and Jean-Marie Str				BPH871223MQ	881007
AP225 AP CN	225A 35 12 17	Bartlett 89 54 50	TN 3.000 kW	24.5 100M	176.93 110.0	166.0 103.2	10.93
		Bartlett Media				BPH871224MC	881007
		>AMENDED 880224					
KLPLFM CP CN	224A 32 47 06	Lake Providence 91 13 46	LA 3.000 kW	204.2 100M	117.70 73.2	106.0 65.9	11.70
		New Directions Broadcasting,				BPH861210IF	
AP225 AP CN	225A 35 14 11	Bartlett 89 57 43	TN 3.000 kW	22.7 100M	178.37 110.9	166.0 103.2	12.37
		Belz Broadcasting Co.				BPH871224MI	881007
AL225 AL N	225A 32 08 28	Utica 90 31 06	MS 0.000 kW	174.2 0M	179.72 111.7	166.0 103.2	13.72
		86-430					880701
AL225 AL N	225A 35 13 53	Bartlett 89 51 46	TN 0.000 kW	25.5 0M	181.59 112.9	166.0 103.2	15.59

CONTEMPORARY COMMUNICATIONS
P.O. Box 159 - Fayetteville GA

CLASS C2

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
87-72							871224
>EFFECTIVE 871123-SITE RESTRICTED							
WJXNFM	225A	Utica	MS	173.8	184.16	166.0	18.16
AP CN	32 06 09	90 29 56	0.900 kW	175M	114.5	103.2	
St. Pe' Broadcasting, Inc.					BMPH8911171C		
WJXNFM	225A	Utica	MS	173.8	184.16	166.0	18.16
CP CN	32 06 09	90 29 56	3.000 kW	100M	114.5	103.2	
St. Pe' Broadcasting, Inc.					BPH880621MB 881209		
KHBMFM	228A	Monticello	AR	260.6	101.01	55.0	46.01
LI CN	33 36 18	91 47 14	2.350 kW	104M	62.8	34.2	
Midway Broadcasting Company					BLH791123AC		



CITY GRADE LIMIT

AL225--LIMIT

AP225 LIMIT

AL225--LIMIT

WJXN (CP) --LIMIT

INDIANOLA 284 IDL

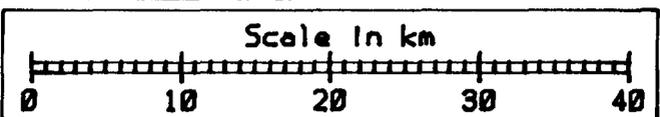
METCALFE 359 MTQ

HOLLANDAILE 114 L 30

KLPL--LIMIT

KLPL (CP) --LIMIT

CH. 225C2 - USABLE AREA

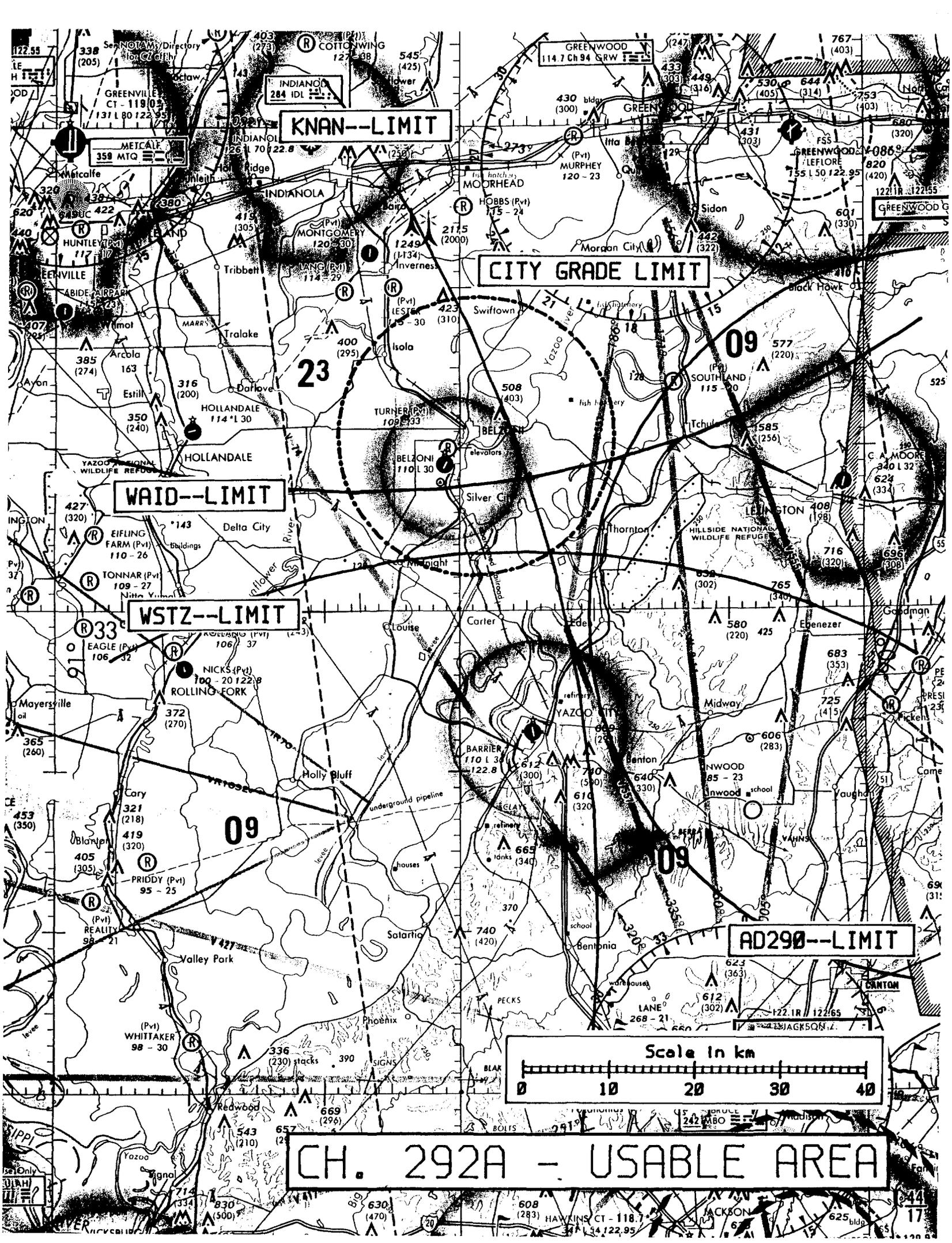


CONTEMPORARY COMMUNICATIONS
P.O. Box 159 - Fayetteville GA

BELZONI, MISSISSIPPI
ALTERNATE CHANNEL STUDY

REFERENCE						DISPLAY DATES
33 08 06 N			CLASS A			DATA 04-25-90
90 24 58 W			Current rules spacings			SEARCH 05-27-90
----- CHANNEL 292 -106.3 MHz -----						

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
DE292 DE	292A 33 06 14	Lexington 90 00 14	MS 0.000 kW	95.1 0M	38.63 24.0	115.0 71.5	-76.37 *
		J. Scott Communication, Inc.			RM6873		
WLTD LI CN	292A 33 06 14	Lexington 90 00 10	MS 3.000 kW	95.1 91M	38.73 24.1	115.0 71.5	-76.27 *
		J. Scott Communications, Inc.			BLH800814AE		
WAID LI CN	292A 34 09 22	Clarksdale 90 37 52	MS 3.000 kW	350.0 91M	115.00 71.5	115.0 71.5	0.00 *
		Radio Cleveland Inc.			BLH7840		
DE292 DE	292A 34 09 22	Clarksdale 90 37 52	MS 0.000 kW	350.0 0M	115.00 71.5	115.0 71.5	0.00 *
		Dunn Broadcasting Corporation			RM7165		
KNAN LI CY	291C 32 39 36	Monroe 92 05 15	LA 100.000 kW	251.4 310M	165.01 102.6	165.0 102.6	0.01 <
		Live Oak Broadcasting Company			BLH880714IA		
WSTZFM LI CN	294C 32 12 22	Vicksburg 90 24 50	MS 100.000 kW	179.9 324M	103.01 64.0	95.0 59.0	8.01
		Lewis Broadcasting Corporatio			BLH850717KH		
AD290 AD	290C3 33 00 00	Lexington 89 53 30	MS 0.000 kW	107.0 0M	51.21 31.8	42.0 26.1	9.21
		J. Scott Communication, Inc.			RM6873		
WMYQFM CP CN	292A 32 19 53	Newton 89 10 48	MS 3.000 kW	127.6 48M	146.18 90.8	115.0 71.5	31.18
		Newton Broadcasting Company,			BPH860127IA		
WMYQFM LI CN	292A 32 19 46	Newton 89 10 08	MS 3.000 kW	127.4 49M	147.13 91.4	115.0 71.5	32.13
		Newton Broadcasting Company,			BLH6659		



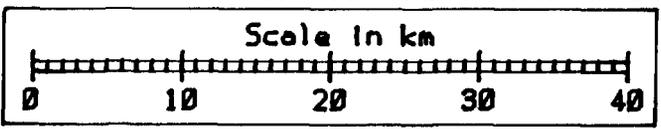
KNAN--LIMIT

CITY GRADE LIMIT

WAIO--LIMIT

WSTZ--LIMIT

AD290--LIMIT



CH. 292A - USABLE AREA

CERTIFICATION

State of Georgia)
) ss.
County of Fayette)

I, Larry G. Fuss, do hereby certify as follows:

- 1) I am a qualified and experienced broadcast consultant. I have been actively involved in the broadcast industry since 1972 and currently hold a lifetime FCC General Class Radio Telephone License (License No. PG-8-8450).
- 2) I have prepared numerous applications and rule making petitions which have been accepted for filing with the Federal Communications Commission.
- 3) I have been retained by WQAZ Radio to prepare the attached Technical Exhibit.
- 4) The Technical Exhibit, of which this deposition is a part, and the measurements, calculations, studies and determinations upon which this report is based, were prepared by me or under my direction. All material contained therein is believed to be true and correct, to the best of my knowledge and belief.

Larry G. Fuss
Larry G. Fuss
Affiant

May 30, 1990
Date