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FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

ORIGINAL  
FILE

MM Docket No. 92-192

In the Matter of

Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations, )  
(Walton and Rochester, Indiana) )

RM-7960  
RM-8036

Comments of Station WROI(FM)

In response to the Commission's Notice of Proposed Rule Making in the above-captioned proceeding (released August 26, 1992), and its invitation to file Comments with respect thereto, Station WROI(FM), Rochester, Indiana, herewith submits its Comments. These Comments are filed both by Manitou Broadcasting Corporation ("Manitou"), licensee of WROI at the time the NPRM was issued and current licensee, and Bair Communications, Inc. ("Bair"), approved assignee of WROI's license.

1. As a preliminary matter, Manitou wishes to correct information contained in the NPRM, specifically at footnotes 3 and 6, listing the coordinates of WROI as Latitude 41-03-02; Longitude 86-15-39. The correct coordinates are: Latitude 41-03-14; Longitude 86-16-12.<sup>1</sup> Since this correction will not exacerbate any

<sup>1</sup>Manitou filed a "Corrective Modification Application" on October 13, 1992, noting the minor error in the coordinates of WROI, as well as the height of its transmitting facilities (height listed as 220 feet; correct height 249 feet). As the accompanying Engineering Report to that application noted, the station's actual location does not create any new short-spacing; as to existing short spacing to WDW-FM, Dowagiac, Michigan, such will only

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short-spacing situations which were already in existence, and will not create any new ones, for all practical purposes, the Commission's factual premises underlying this NPRM are valid.

2. While WROI did not lead in seeking a channel change to allow it to effectuate an improvement in facilities, it did support the request for the channel change for WROI proposed by WDOW-FM, Dowogiac, Michigan, which is also the subject of this NPRM. The net result if the Commission were to grant WDOW-FM's request would be to allow two stations to improve their minimal Class A 3 kw facilities to those of full Class A assignments; i.e., at 6 kw each. The Commission should also take into consideration the following -- WROI, is the only station in Rochester, Indiana, a community of 5,969.<sup>2</sup> This is the largest community in Fulton County, and WROI has been attempting to serve Rochester and this fairly large (area-wise) county since 1971.

3. WROI will seek a maximization of facilities to 6 kw (which, at its current height would result in an overall coverage increase of some 37%, going from 453 square miles to 621 square miles in the primary contour/coverage area). If WROI increased its tower height to the FCC maximum allowed, it would realize a 110% increase in overall coverage area (going from 453 square miles to 950 square miles). (See accompanying Engineering Report.) In this

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increase by 0.24 km and as to educational station WVSH(FM), Huntington, Indiana, shortspacing will decrease by 0.80 km. Of course, if the FCC authorizes this channel change for WROI, this shortspacing will be eliminated.

<sup>2</sup>Source: 1990 U.S. Census figures. All population figures in these Comments will be 1990 U.S. Census figures.

basically rural area, with WROI as the community's only station, and with it centrally located in Fulton County (population 18,840), there is much merit to such proposal.

4. WROI presumes that similar coverage improvements would result from allowing WDOW-FM to increase its facilities to 6 kw. Its proposal to have WROI change to channel 229A creates no new shortspacing (in compliance with Section 73.207 of the Commission's Rules).<sup>3</sup>

5. Turning to J.B. Ladd's Walton, Indiana proposal, while Walton would theoretically gain a first local aural transmitting service, Walton only has a population of 1,053 and is surrounded by a triangle of much larger communities, each with their own radio stations covering the Walton area. Thus, Kokomo (13 miles; population 44,962; one AM, two FMs, and two educational FMs), Peru (12 miles; population 12,843; one AM, one FM), and Logansport (9 miles; population 16,812; one AM, one FM), all provide service to Walton and its environs. These 7 commercial and 2 educational radio stations obviously saturate the Walton area.

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<sup>3</sup>WROI notes that if the Commission approves the WDOW-FM proposal as originally put forth by it and which in part caused the FCC to initiate this rulemaking proceeding, and such Commission action results in WROI having to change channels, WDOW-FM would be obligated to pay the reasonable costs associated with such channel change itself. This would be required by Commission policy and the specific commitment of WDOW-FM, as noted by the Commission in the NPRM at para. 6. While these expenses would not cover improvements in WROI's facilities, they would cover the normal change costs themselves, estimated by WROI to be no more than \$15,000. (including anticipated engineering and legal fees) and could be somewhat less.

6. Further, Grissom Air Force Base is located only some 3 miles from the coordinates for Walton (NPRM at footnote 4), and may well have very restrictive radio and aeronautical hazard control zones which could severely limit the facilities of any station which might try to operate in Walton. (See accompanying Engineering Report.) The Commission has already noted a site restriction for the required Walton assignment which places it nearer this Air Force base. (NPRM at para. 4)

7. Even if the Commission does not approve WDOW-FM's improvement in facilities for some extraneous reasons, WROI herein requests that the Commission allot Channel 229A to Rochester, Indiana, with a capability of specifying 6 kw power. Upon such allotment, WROI will promptly file an application to modify its current facilities to specify Channel 229A at maximum 6 kw power and will promptly build and operate such facilities upon FCC grant thereof.

8. Consequently, WROI urges the Commission to make the rational and practical choice in this instance, preferring the only local station in its attempt to reach and serve a wider audience with a better quality signal in a very thinly populated county;

and not some would-be station in a tiny community completely surrounded and served by much large communities' stations.

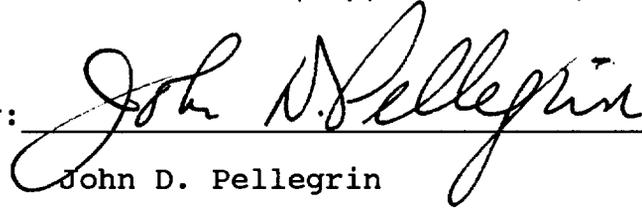
Respectfully submitted,

Manitou Broadcasting Corporation

Bair Communications, Inc.

Station WROI(FM), Rochester, Indiana

By: \_\_\_\_\_



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Their Attorney

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Date: October 19, 1992

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ENGINEERING REPORT

**Harry R. Seabrooke**

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WROI  
Rochester, Indiana

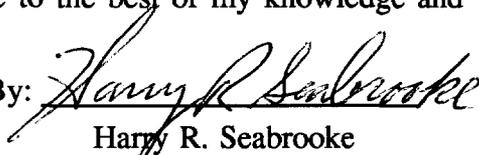
This engineering statement has been prepared to support comments concerning the proposed allotment of Channel 229A and subsequent deletion of Channel 221A to Rochester for use by WROI.

WROI presently operates with facilities of 3 kW effective radiated power (ERP) at 63.2 meters above average terrain (AAT) on Channel 221A. It presently has grandfathered short-spacings toward two stations, WDOV at Dowagiac, Michigan and WWSH at Huntington, Indiana which prevent WROI from increasing its ERP to 6 kW. By moving from Channel 221A to Channel 229A and increasing its ERP to 6 kW WROI will achieve a 37 percent increase in the area within its 1 mV/m (60 dbu) contour (453 sq.mi. to 621 sq.mi.). If WROI should increase its facilities to 6 kw ERP at 100 meters AAT the area within its 1 mV/m contour will increase by a factor of 110 percent over the present 1 mV/m area (453 sq.mi. to 953 sq.mi.).

In reviewing the J.B. Ladd proposal to allot Channel 229A to Walton, Indiana it is noted that the site assumed is located within the control zone shown on the latest edition of the Chicago Sectional Aeronautical Chart, for Grissom Air Force Base. The site plots approximately 2.9 miles from the longest runway and may constitute a hazard to air navigation.

I certify that my qualifications are a matter of record at the FCC, and that I have personally prepared this report. All computations and data contained herein or on which this exhibit has been based are in accordance with the pertinent requirements of the FCC Rules, appropriate international broadcasting agreements and standards of good engineering practice, unless otherwise specifically so stated. I declare under the penalty of perjury that the contents of this report are true and accurate to the best of my knowledge and belief.

By:



Harry R. Seabrooke

October 15, 1992

CERTIFICATE OF SERVICE

I, Kathy Nagl, a secretary in the law firm of John D. Pellegrin, Chartered do hereby certify that I have on this 19th day of October, 1992 sent a copy of the attached "Comments of Station WROI(FM)" by first class U. S. Mail, postage prepaid, to the following:

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