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Before the
Federal Communications Commission
Washington, DC

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL
FILE

In the Matter of)
)
Amendment of Section 202(b),)
Table of Allotments,) RM-
FM Broadcast Stations)
(Columbia Falls, Montana))

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Frank Copsidas, Jr. ("Copsidas"), permittee of Channel 240A, Columbia Falls, Montana, by his attorney, hereby requests that the Commission amend the Table of Allotments as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Columbia Falls, Montana	240A	240C2

In support thereof, the following is stated:

Copsidas is the permittee of Channel 240A, Columbia Falls, Montana. This Columbia Falls, Montana allotment can be upgraded to Channel 240C2 in full accord with the Commission's spacing rules. Attached hereto is a Technical Statement which demonstrates that Channel 240C2 can be substituted for Channel 240A with a site restriction of 15.0 kilometers northwest of the community of Columbia Falls, which will prevent any shortspacing from occurring with any currently authorized or proposed facility. The allotment can be upgraded at Copsidas' currently authorized site, and Exhibit 1 of the Technical Statement shows the total area at which a transmitter for Channel 240C2, Columbia Falls, Montana can be located in full compliance with the Commission's current spacing rules.

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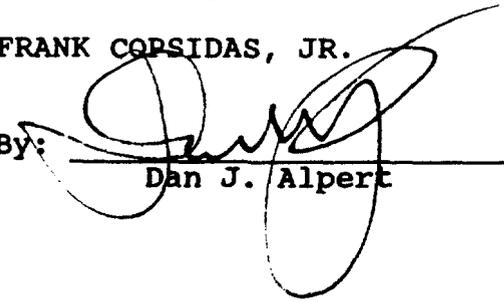
Adoption of this proposal will be in the public interest. As demonstrated in the Technical Statement, approval of this proposal will allow Copsidas to improve the service that he will provide to the public by serving an additional 4,881 persons in an increased area of 5,971.8 square kilometers.

Accordingly, Copsidas respectfully requests that the Commission amend the FM Table of Allotments to substitute Channel 240C2 for Channel 240A pursuant to Section 1.420(g) of the Commission's Rules, and modify Copsidas' outstanding construction permit to permit operation on Channel 240C2 in lieu of Channel 240A. Insofar as Copsidas is proposing to upgrade an allotment on the co-channel on which he is authorized to operate, it is not appropriate that the Commission accept any competing expressions of interest for the allotment that may be filed by any outside party.

WHEREFORE, it is respectfully requested that this Petition be adopted, and the Commission request comment on the proposal contained herein.

Respectfully submitted,

FRANK COPSIDAS, JR.

By: 

Dan J. Alpert

1250 Connecticut Ave., NW
#700
Washington, DC 20036
(202) 637-9158

October 23, 1992

PETITION FOR RULE MAKING
FRANK COPSIDAS, JR.
SUBSTITUTE CH 240C2 FOR CH 240A
COLUMBIA FALLS, MONTANA
October 1992

Technical Exhibit
TE-1

Bromo Communications, Inc.
P.O. Box M - 1331 Ocean Boulevard, Suite 201
St. Simons Island, Georgia 31522
(912) 638-5608

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PETITION FOR RULE MAKING
FRANK COPSIDAS, JR.
SUBSTITUTE CH 240C2 FOR CH 240A
COLUMBIA FALLS, MONTANA
October 1992

TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of Frank Copsidas, Jr. ("Copsidas"), permittee of a new FM station on Channel 240A at Columbia Falls, Montana. Copsidas is requesting that the Commission amend the FM Table of Allotments, §73.202(b) of its regulations, by substituting Channel 240C2 for Channel 240A at Columbia Falls, Montana. Further, Copsidas requests that his outstanding construction permit be modified to specify operation on Channel 240C2.

REQUEST

2. Channel 240C2 can be allocated to Columbia Falls, Montana, at the presently authorized construction permit site for Channel 240A, with a site restricted 15.0 kilometers northwest of the community of Columbia Falls, to accommodate the petitioner's desired site, at reference coordinates North Latitude 48° 27' 35" and West Longitude 114° 20' 25". From this location, a 3.16 mV/m contour will be provided over Columbia Falls. Exhibit #1 is a usable area study which

shows where Channel 240C2 could potentially be located to provide service to Columbia Falls. Exhibit #2 is a §73.207(b) spacing analysis which demonstrates Channel 240C2, from the proposed allocation site, meets spacing requirements to all other Commission licensed, applied for or proposed facilities, with the exception of the present Class A facility at Columbia Falls. Since Columbia Falls, Montana, is located within 320 kilometers of the United States/ Canadian border, Copsidas requests that this proposal be forwarded to the Canadian government for their concurrence. Exhibit #2 also demonstrates that this proposal meets all the required spacing distances to all Canadian facilities.

PUBLIC INTERESTS

3. Channel 240C2 operating at as a maximum facility from the proposed reference site could serve 60,416 number of persons in 9460.9 square kilometers. This represents an increase of 4,881 persons in 5,971.8 square kilometers over the presently authorized Class A construction permit. ¹

1) Population information for the C2 facility is based on 1990 Census information taken from PL 94-171 files as compared to population and area proposed to be served in the Copsidas' application for construction permit BPH-911122MC.

REQUEST

4. Therefore, Copsidas requests the following change to §73.202(b) of the Commission's rules:

Columbia Falls, Montana

Present

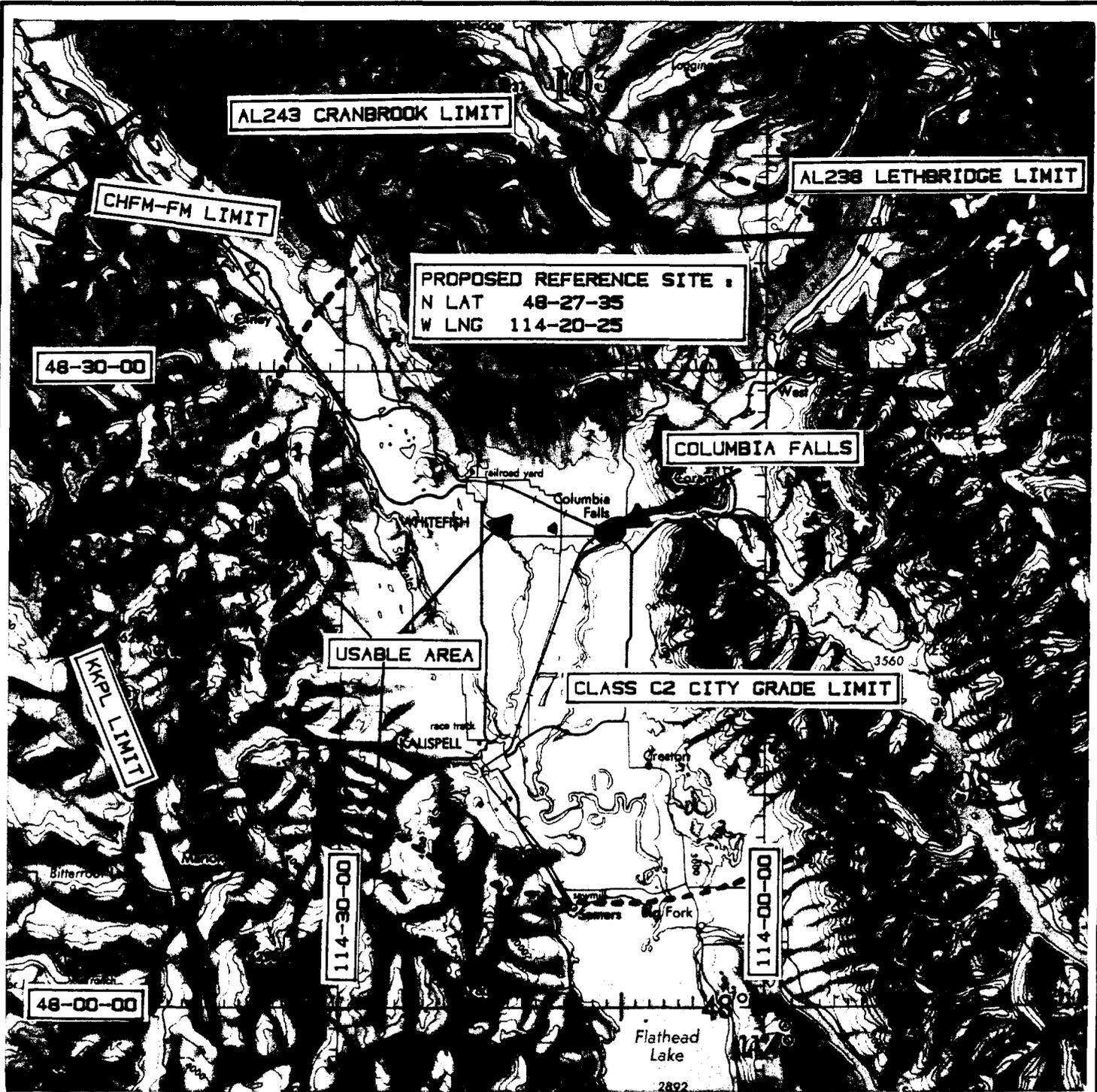
240A

Proposed

240C2

5. When Channel 240C2 is allotted to Columbia Falls, Montana, Copsidas will, in a timely manner, file an application to modify its outstanding construction permit for Channel 240A at Columbia Falls, and upon a grant will endeavor to construct the facility in a timely manner.

6. The foregoing technical statement and exhibits were prepared on behalf of Frank Copsidas, Jr., by Bromo Communications, Inc., his technical consultants. All information contained herein is true and accurate to the best of our belief and knowledge. Should questions arise during consideration of this proposal, we would welcome the opportunity to discuss the matter by phone at (912) 638-5608. All information contained herein is based on the NTIA FM database as updated in September 1992. We assume no liability for omissions in that database, which may be adverse to the requests contained herein.

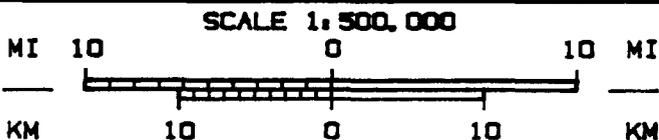


USABLE AREA CHANNEL 240C2

MAP IS A PORTION OF THE 1:500,000 SCALE GREAT FALLS SECTIONAL AERONAUTICAL CHART.

EXHIBIT #1
PETITION FOR RULE MAKING
FRANK COPSIDAS, JR.
SUBSTITUTE CHANNEL 240C2
FOR CHANNEL 240A
COLUMBIA FALLS, MONTANA

October 1982



BROMO BROADCAST TECHNICAL CONSULTANTS
COMMUNICATIONS
 St Simons Island, Georgia Washington, D.C.

ALLOCATION STUDY FOR CHANNEL 240C2 COLUMBIA FALLS, MONTANA
USING PRESENT CP SITE AS REFERENCE

REFERENCE	CLASS C2	DISPLAY DATES
48 27 35 N		DATA 09-30-92
114 20 25 W	Current rules spacings	SEARCH 10-16-19
----- CHANNEL 240 - 95.9 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
<i>CP240</i>	<i>240A</i>	<i>Columbia Falls</i>	<i>MT</i>	<i>0.0</i>	<i>0.00</i>	<i>166.0</i>	<i>-166.00 *</i>
<i>CP CN</i>	<i>48 27 35</i>	<i>114 20 25</i>	<i>6.000 KW</i>	<i>87M</i>	<i>0.0</i>	<i>103.2</i>	
		<i>Frank Copsidas, Jr.</i>			<i>BPH911122MC</i>	<i>940130</i>	
CHFMFM	240C	Calgary	AB	2.4	289.50	274.0	15.50
OP DCN	51 03 37	114 10 13	100.000 KW	147M	179.9	170.3	
KKPL	241C	Opportunity	WA	244.2	227.32	188.0	39.32
LI CN	47 34 11	117 05 00	56.000 KW	725M	141.3	116.8	
		Alpha Radio, Inc.			BLH7638		
AL243	243C	Cranbrook	BC	319.6	145.75	106.0	39.75
AL	49 27 30	115 37 45	0.000 KW	0M	90.6	65.9	
AL238	238C	Lethbridge	AB	38.6	176.48	125.0	51.48
AL	49 42 00	112 50 00	0.000 KW	0M	109.7	77.7	
AL239	239C	Trail	BC	285.3	265.14	209.0	56.14
AL	49 05 26	117 49 08	0.000 KW	0M	164.8	129.9	
ALOPEN	237C1	Sandpoint	ID	266.1	136.90	79.0	57.90
AL N	48 22 37	116 11 08	0.000 KW	0M	85.1	49.1	

CHANNEL 240C2 ALLOCATION STUDY

EXHIBIT #2
PETITION FOR RULE MAKING
FRANK COPSIDAS, JR.
SUBSTITUTE CHANNEL 240C2
FOR CHANNEL 240A
COLUMBIA FALLS, MONTANA
October 1992

BROMO BROADCAST
COMMUNICATIONS TECHNICAL CONSULTANTS
St Simons Island, Georgia Washington, D.C.

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

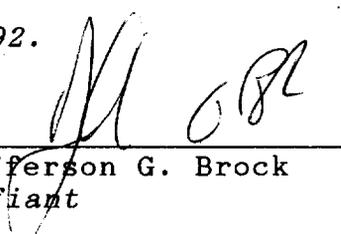
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK being duly sworn, deposes and says that he is an officer of Bromo Communications, Inc. Bromo has been engaged by Frank Copsidas, Jr., permittee, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

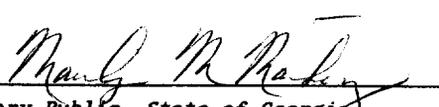
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 20th day of October, 1992.



Jefferson G. Brock
Affiant

Sworn to and subscribed before
me this the 20th day of October, 1992.



Notary Public, State of Georgia
My Commission Expires: September 8, 1995