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DEC 16 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

December 16, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Petition for Rule Making
Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Kings Beach, California)

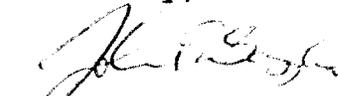
PR 1A

Dear Ms. Searcy:

Transmitted herewith on behalf of Kidd Communications, the permittee of KBCH-FM, Kings Beach, California is an original and four copies of its petition for rule making to amend the FM Table of Allotments for Kings Beach, California. This petition is respectfully directed to the Chief, Allocations Branch.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,


John F. Garziglia

Enclosure

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DEC 16 1992

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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments) RM _____
FM Broadcast Stations)
(Kings Beach, California))

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

Kidd Communications, the permittee of KBCH-FM, Kings Beach, California, by its attorneys, pursuant to Section 1.401 and Section 1.420(g)(3) of the Commission's rules, respectfully submits its petition for rule making to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, as follows:

	<u>Present</u>	<u>Proposed</u>
Kings Beach, California	299C3	299C2 ^{1/}

In support thereof, the following is submitted:

1. This petition proposes the allotment of Channel 299C2 to Kings Beach, California in lieu of Channel 299C3, and a modification of the construction permit of KBCH-FM, Kings Beach, California to specify operation on Channel 299C2. Attached to this petition is an engineering statement prepared by the petitioner demonstrating that the proposed Channel 299C2 allotment may be made to Kings Beach in accord with all applicable spacings.

^{1/} The coordinates for the Channel 299C2 proposed allotment to Kings Beach, California are 39° 16' 46" North Latitude, 119° 40' 19" West Longitude.

2. As shown in the engineering statement, the proposed site is almost 33 kilometers from the most distant boundary of Kings Beach. Because of this distance and the requirement that the petitioner demonstrate that city-grade coverage will be achieved to Kings Beach, California from the proposed allotment, the petitioner has prepared an engineering showing demonstrating the availability of such coverage from the petitioner's chosen transmitter site. The petitioner proposes an overall center of radiation above average terrain of 237.3 meters with an equivalent effective radiated power of 20.4 kilowatts from the proposed site, which is the equivalent maximum for Class C2 facilities. On the radial toward Kings Beach (262°), the center of radiation above average terrain is 268.6 meters. From that proposed height and with the proposed effective radiated power, the distance to the 70 dBu city-grade contour is 35 kilometers. Since this exceeds the distance to the most distant part of the Kings Beach community limits by more than two kilometers, it is demonstrated that the city-grade coverage requirement of the Commission's rules and policies are met in order to grant the upgrade requested.

3. It is well established that there is a limited exception to the allotment policy of predicting city-grade coverage based upon the assumption of uniform terrain for an existing licensee seeking to upgrade its facility at a specific site that is available to it. Under such circumstances, the petitioner can establish city-grade coverage over the community of license based

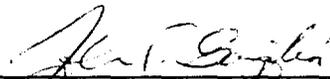
upon an analysis of the terrain characteristics along specific radials. See Woodstock and Broadway, Virginia, 3 FCC Rcd 6398 (1988). See also Sonora, California, 6 FCC Rcd 6042 (1991) (for an upgrade, the Commission permits use of actual terrain data along a specific radial toward the principal city so that the range of the signal toward the city can be determined.

4. This proposal to upgrade KBCH-FM to Channel 299C2 will provide expanded service to the areas and populations surrounding Kings Beach, California. Upon a grant of the requested channel allotment, an application seeking a modification in facilities in accord with that allotment will be promptly filed, and when such application is granted, the facilities will be promptly constructed and placed on the air.

WHEREFORE, for the reasons above, the allotment of Channel 299C2 in lieu of Channel 299C3 to Kings Beach, California, and a modification of the KBCH-FM, Kings Beach, California construction permit to specify operation on Channel 299C2, is respectfully requested.

Respectfully submitted,

KIDD COMMUNICATIONS

By: 

John F. Garziglia
Its Attorney

Pepper & Corazzini
1776 K Street, N.W., Suite 200
Washington, D.C. 20554
(202) 296-0600

December 16, 1992

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Exhibit I	Engineering Statement
Exhibit II	Site Map
Exhibit III	Coverage Map
Exhibit IV	Frequency/Mileage Kilometer Search
Exhibit V	Permittee Statement

4) Distance to contours and height above average terrain

<u>Degrees</u>	<u>HAAT in meters</u>	<u>Distance to contours</u>	
		<u>70 dbu</u>	<u>60 dbu</u>
0	-78.2	12.1	21.6
45	46.6	14.9	26.4
90	472.5	45.2	67.9
135	432.6	43.3	65.2
180	373.3	40.6	61.6
225	194.2	29.8	48.8
262*	268.6**	35.0	54.5
270	278.1	35.5	55.2
315	179.5	28.7	47.6
	=====		
HAAT	237.3		

- * Kings Beach Radial
- ** Not included in average

The radial to Kings Beach from this site is 262 degrees. The height above average terrain along the 262 degree radial is 268.6 meters. The distance to the 70 dbu city grade contour along the 262 degree radial is 35 kilometers.

The distance to the most westerly portion of Kings Beach, from the proposed site is less than 33 kilometers. Therefore, with 35 kilometers of 70 dbu coverage towards Kings Beach, this site meets and exceeds the city grade coverage requirement with a two kilometer margin to spare.

The actual distance from the proposed new site to KXOA, Channel 300B is 169.03 kilometers or 105.03 miles. The required distance 169 kilometers. Therefore, there is a margin to spare of .03 kilometers.

In some data base programs, Channel 300A for Fallon, Nevada appears. Channel 267A was assigned to Fallon, Nevada and although Channel 300A was proposed, it was never assigned to Fallon, Nevada.

Please be aware of this old information that may be in the FCC data base that is no longer valid.

There are no I.F. Relationships to consider. All other adjacent and co-channels are at much greater distances than the close distance of KXOA, Channel 300B.

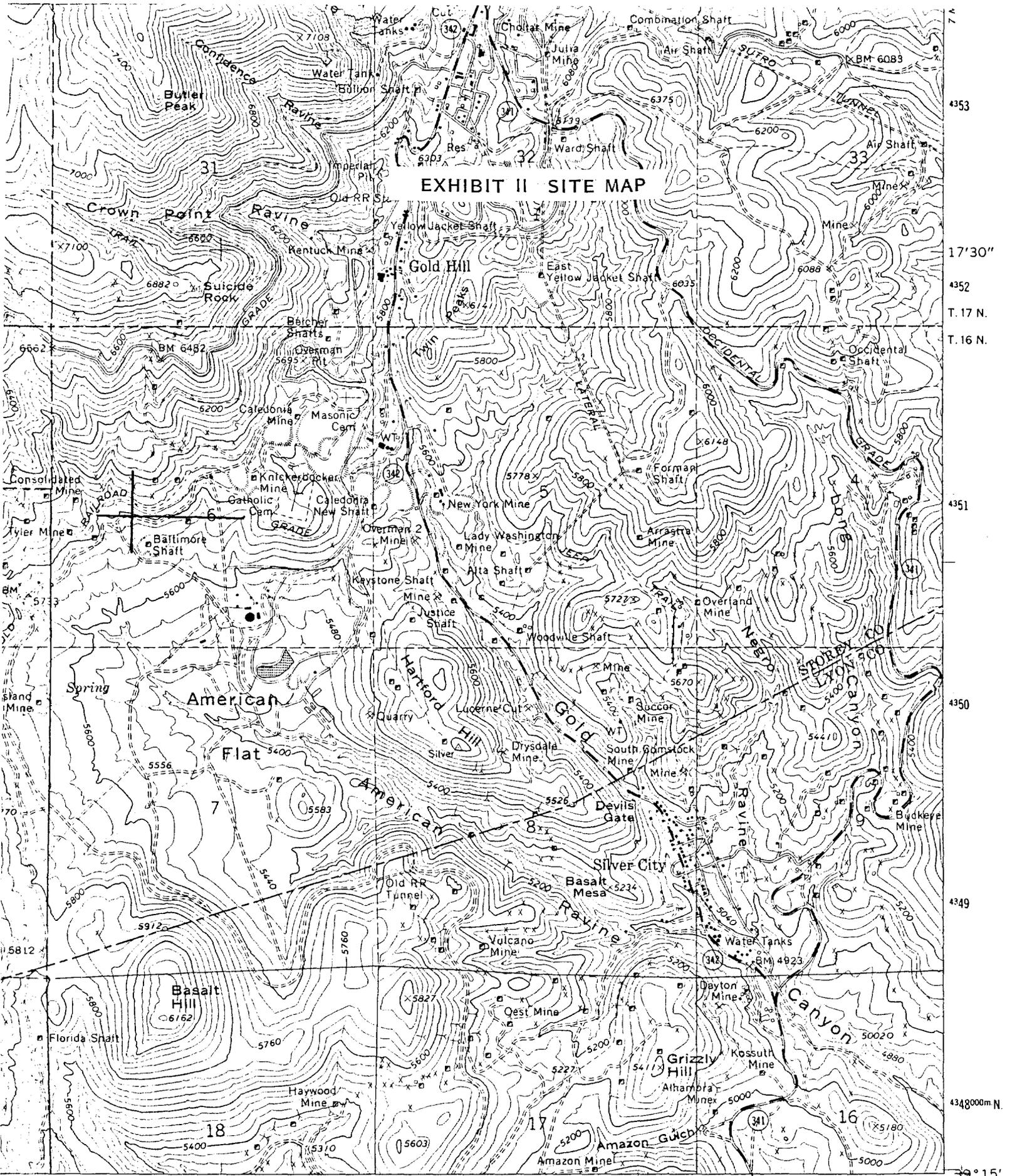
I, Chris W. Kidd, do hereby certify that the foregoing facts stated in this proposed rule making for a Class C2 for KBCH-FM are true and correct.



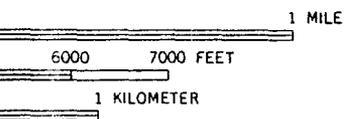
Chris Kidd
Owner: Kidd Communications

12-10-92
Date

EXHIBIT II SITE MAP

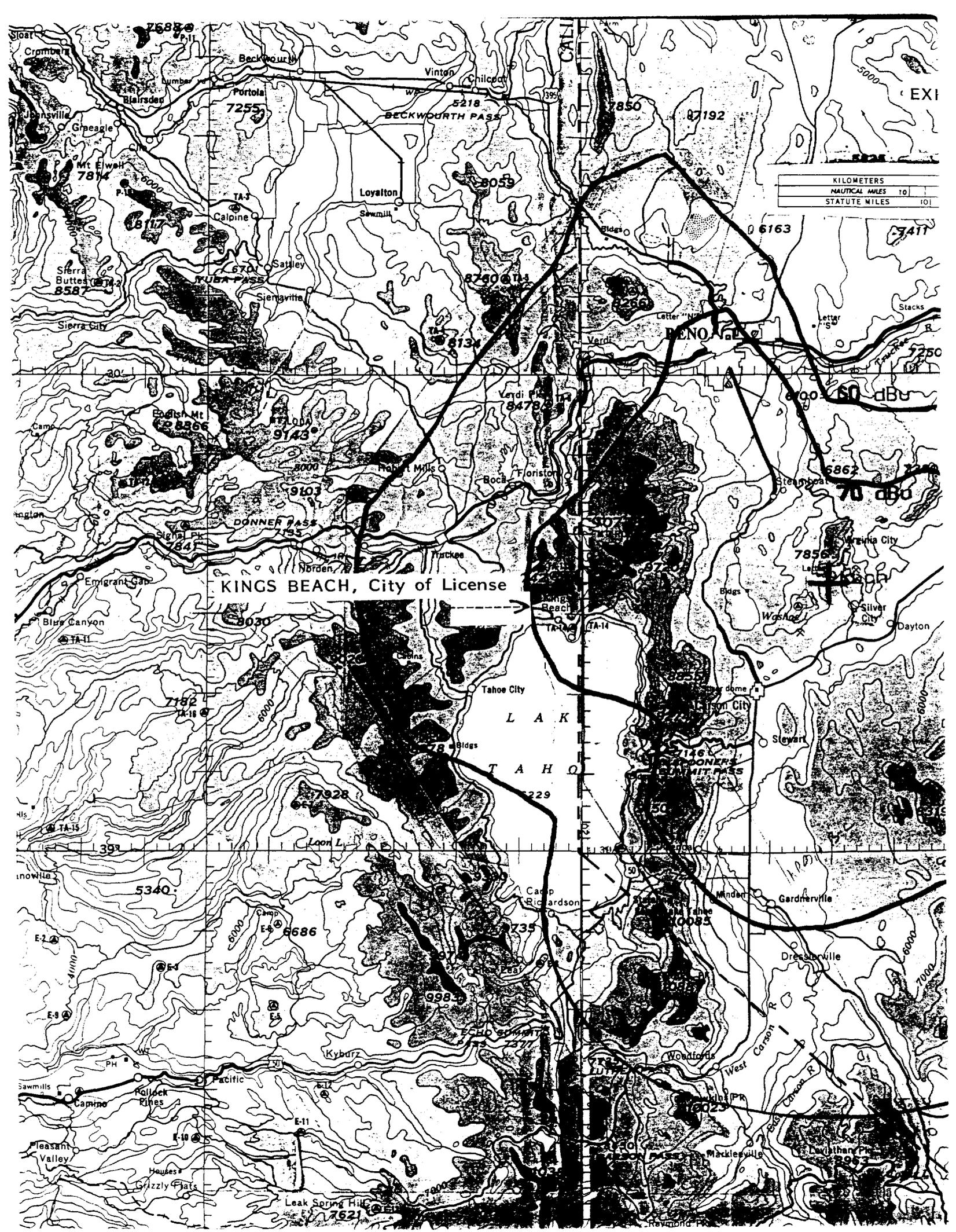


R. 20 E. R. 21 E. 40' 370 271 2730000m E. 119° 37' 30" 4353 17' 30" 4352 T. 17 N. T. 16 N. 4351 4350 4349 4348000m N. 39° 15'



ROAD CLASSIFICATION
 Heavy-duty
 Medium-duty
 Light-duty
 Unimproved dirt
 U.S. Route
 State Route

DAYTON 2002



KILOMETERS
NAUTICAL MILES 10
STATUTE MILES 10

KINGS BEACH, City of License

60 dBu

70 dBu

L A K
T A H O

50

50

50

50

50

50

50

50

50

50

50

50

50

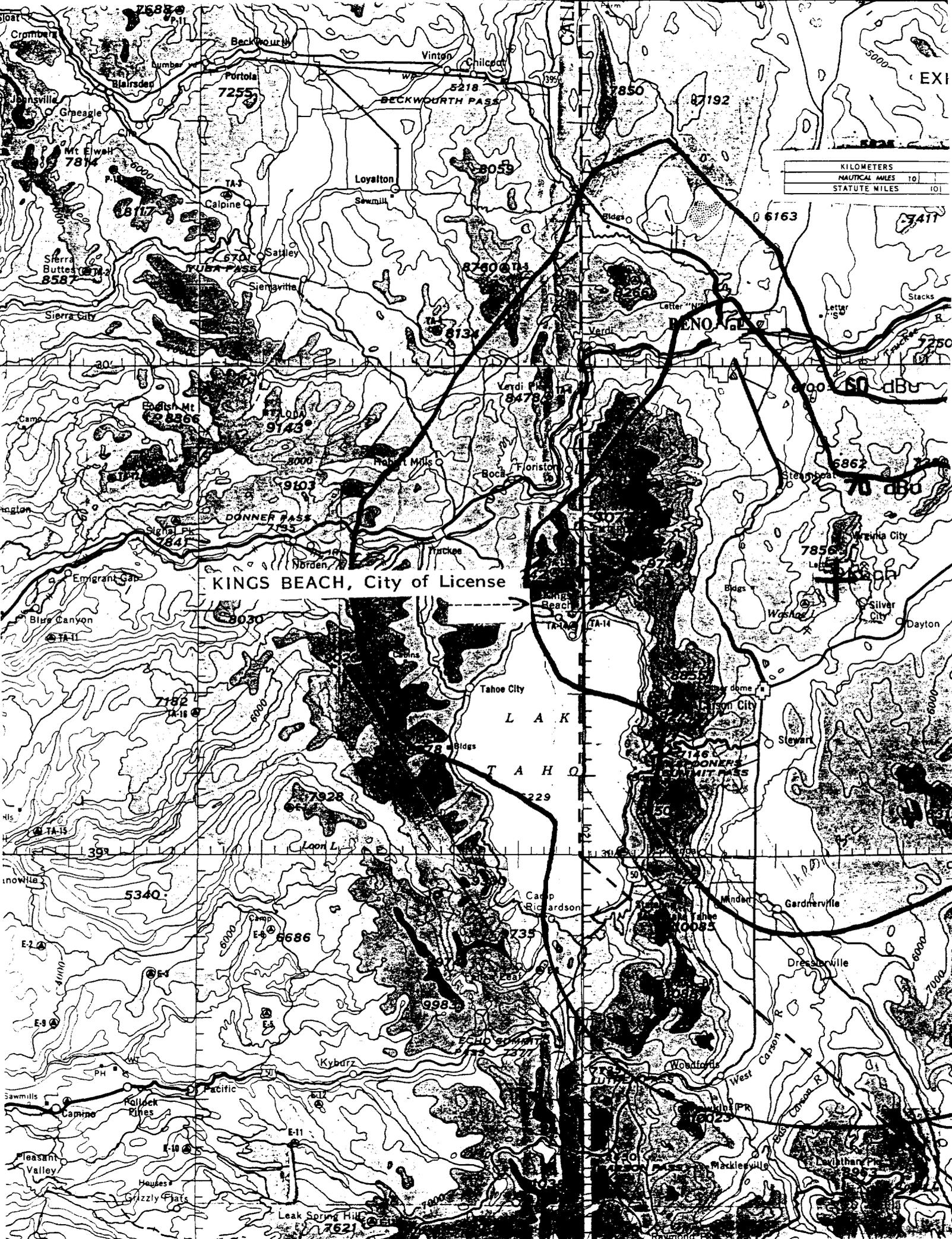


EXHIBIT III COVERAGE MAP

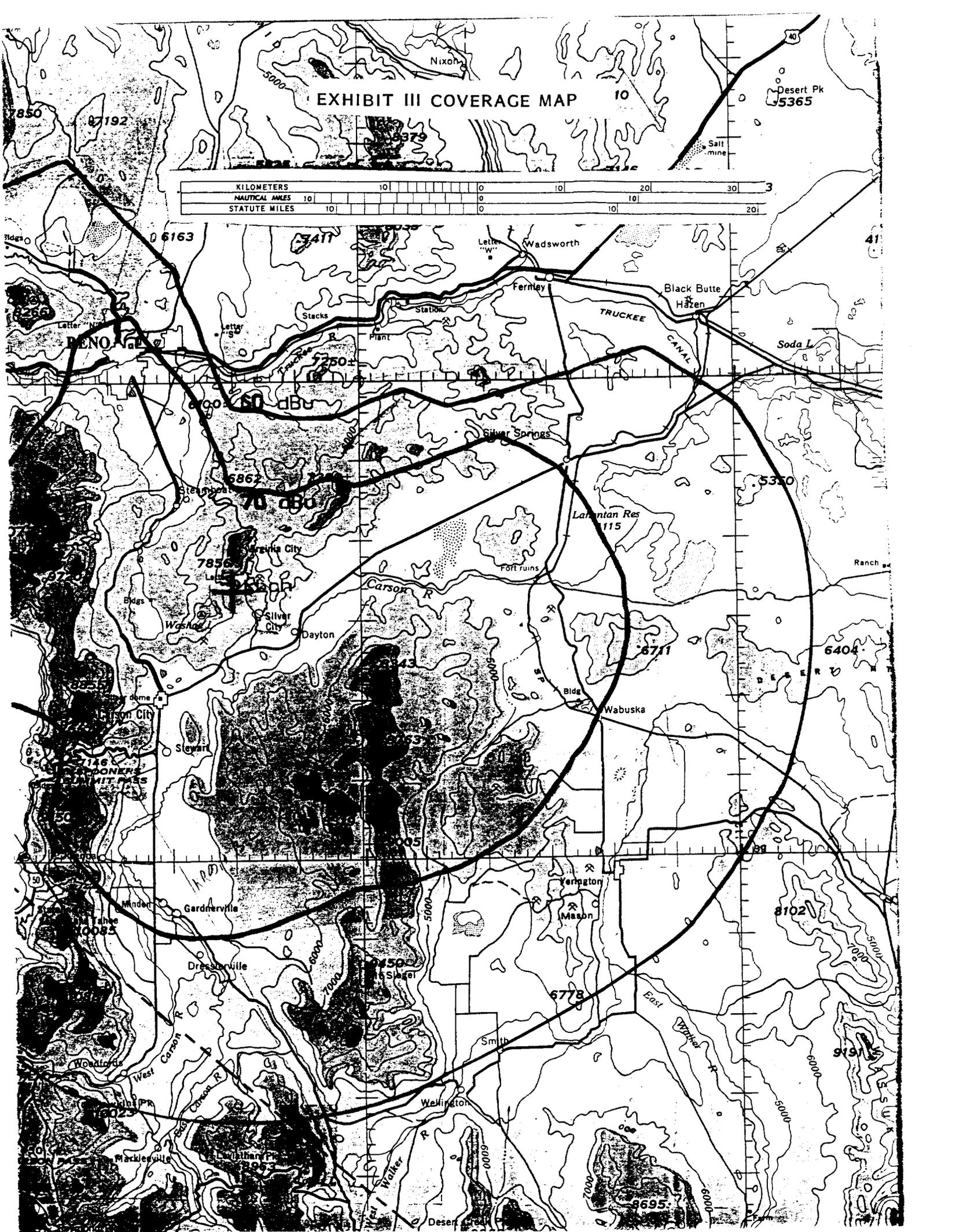
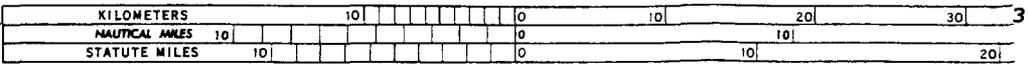




EXHIBIT IV Frequency Search & Mileage Separations

December, 1992

CH# 29902 - 107.7 MHz

Koch

INTERFERENCE CHECKS WITH XXXX, KINGS BEACH, CA at N. LAT. 39 16 46 W. LNG. 119 40 19

PWR = 19 kW H.A.A.T. = 246 M C.O.R. = 1923 M AMSL

Protected F(50-50) 60 dBu = 52.21 km

F(50-10) 40 dBu = 127.92 54 dBu = 76.97 60 dBu = 20.15 100 dBu = 5.7
 F(50-10) 37 dBu = 143.4 51 dBu = 86.24 77 dBu = 24.03 97 dBu = 7
 F(50-10) 34 dBu = 159.96 48 dBu = 95.77 74 dBu = 28.41 94 dBu = 8.5

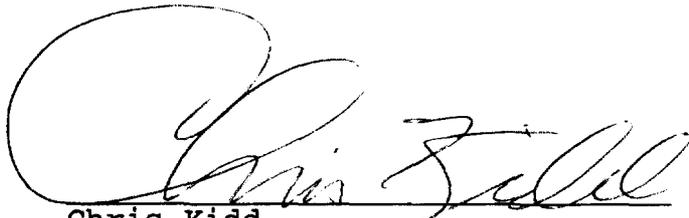
CH#	CALL	TYPE	* IN *	* OUT *	BEARING	DISTANCE	LAT.	PWR(kw)	INT(km)	PRO(km)
CITY	STATE	LICENSEE	<---		<---		LNG.	HAAT(M)	COR(M)	FILE #
238A	KMAT.C	CP CN	106.0 R	29.7 M	220.4	135.67 km	38 20 53	1.25	36.39	24.26
Sutter Creek	CA	Susan E. Turgetto			40.4	84.30 Mi	120 41 00	157.0	697	3PH85071MP
238B	KPPL	LI CN	169.0 R	60.7 M	270.2	223.68 km	39 17 17	28.00	76.09	64.17
Colusa	CA	Affinity Communications, I			90.2	142.72 Mi	122 20 02	193.0	410	BLH860925KB
23903	KBCHEM	AP CN	177.0 R	-158.4 M	281.6	18.61 km	39 18 47	0.23	103.93	39.21
Kings Beach	CA	Kidd Communications			101.6	11.56 Mi	119 53 00	879.0	2962	3MP4920512IC
FCC Comment > From Channel 299A per 089-449-Amended 920625										
299A	KBCHEM	OPM CN	166.0 R	-131.4 M	266.8	34.62 km	39 15 43	0.75	71.59	24.01
Kings Beach	CA	Kidd Communications			86.8	21.51 Mi	120 04 21	199.0	2265	3MPH330815IC
FCC Comment > *To Channel 29903 per 089-449										
239A	KXDE.C	OP CN	166.0 R	56.9 M	197.3	222.38 km	37 22 35	3.00	76.31	24.22
Marceau	CA	Jonn Neunoff			17.8	138.49 Mi	120 27 10	100.0	174	BPH860301MY
239B	KSOL	LI CN	241.0 R	57.3 M	233.8	298.84 km	37 41 20	8.90	126.31	65.82
San Mateo	CA	Intercontinental Radio, In			53.8	185.69 Mi	122 26 07	354.0	412	3LH860414KF
239B	KSOL.A	AP CN	241.0 R	57.3 M	233.8	298.84 km	37 41 20	8.90	126.31	65.82
San Mateo	CA	Intercontinental Radio, In			53.8	185.69 Mi	122 26 07	354.0	412	3MLH920716KA
FCC Comment > RCAGL appears to be incorrect for the RCAMSL										
29903	AOPEN	AL N	177.0 R	-158.4 M	281.6	18.63 km	39 18 50	25.00	113.63	39.08
Kings Beach	CA	88-449			101.8	11.58 Mi	119 53 00	100.0	0	
FCC Comment > Site restricted-Effective 08-30-91-Reserved for KBCHEM per 089-449										
300B	KXOAFM	LI CN	169.0 R	0.0 M	248.1	169.03 km	38 42 33	50.00	73.24	61.08
Sacramento	CA	The Brown Organization			68.1	105.03 Mi	121 28 54	123.0	137	8LH850716KA

i.f. RELATIONSHIPS: NONE FOUND

Permittee Statement

I, Chris W. Kidd, am the owner of Kidd Communications, who is the permittee of KBCH-FM, Kings Beach, California. The exhibits and technical evaluations submitted herein, were performed by me or under my direct supervision.

If the Commission grants the C2 Allocation Request, for KBCH, Kidd Communications will promptly file a 301 upgrade application in response to the report and order, when issued. Additionally, when the Commission issues a C2 Construction Permit for KBCH-FM, Kidd Communications will promptly build KBCH as a class C2 station. In the event that KBCH is operating as a Class C3 at that time, Kidd Communications will modify the facilities of KBCH to conform to a C2 facility as specified and approved from a future 301 application and an FCC Construction Permit.



Chris Kidd
Owner: Kidd Communications

12-10-92
Date