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FEDERAL COMMUNICATIONS COMMISSION

SEP 17 1993

WASHINGTON, D.C.

FCC MAIL ROOM

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
Keno, Oregon)

RE: MM Docket No. 93-208
RM - 8281

TO: The Chief, Mass Media Bureau
The Chief, Allocations Branch

OPPOSITION TO PROPOSED RULEMAKING

AND

PETITION FOR COUNTERPROPOSED RULEMAKING

Comes now, Big Tree Broadcasting, Inc. IN PRO PER, and respectfully requests that the Commission dismiss or amend the proposed rulemaking at Keno, Oregon and accept this Counter-Proposed rulemaking request. The petitioner "Big Tree," requests that the Commission's Rules be amended to allot the following FM channel to the Community of Merrill, in Klamath County, Oregon and amend Section 73.202(b) as follows:

<u>CITY</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Merrill, Oregon	None	253 A

In support whereof, the following is shown:

1. Big Tree Broadcasting, Inc., through this counter-proposed rulemaking request, pleads that the Commission allot FM channel 253 A to the Community of Merrill, Oregon as that community's FIRST LOCAL RADIO SERVICE of any kind and its FIRST FULL TIME FM SERVICE.

2. Merrill, Oregon is incorporated as a city under Oregon State Law and is so listed by the Bureau of The Census, United States Department of Commerce. It has its own public services and businesses, and under Section 307 (b) is entitled to an allocation and its own radio service.

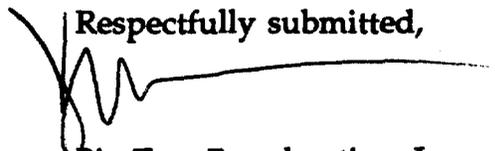
3. "Big Tree," through this petition for rulemaking, confirms its intention and willingness to apply to the Commission for use of the proposed channel at Merrill, Oregon should the Commission allot FM Channel 253 A or other channel of equal class.

4. The attached frequency studies confirm, as fact, that the counter-proposed channel can be assigned as requested.

In conclusion, "Big Tree" respectfully requests that the Commission dismiss or amend the proposed rulemaking at Keno, Oregon and accept this counter-proposed rulemaking to allocate FM Channel 253A to Merrill, Oregon, instead.

Dated this 14th day of September, 1993.

Respectfully submitted,


Big Tree Broadcasting, Inc.
Dennis M. Crepps, President
29672 Silver Street
Val Verde, California 91384

FM Spacing study

Title: MERRILL, OR.
Channel 253 A (98.5 MHz)

Latitude: 42-01-24
Longitude: 121-36-00

Call City of License	Auth Licensee name St FCC File no.	Chan ERP-kW Freq EAH-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
PRM Crescent North	ADD Let's Talk Radio CA	250C2 97.9	41-48-25 124-10-16		214.66 159.66	55 CLEAR
KPOD-FM LIC Crescent City	Let's Talk Radio CA BLH-890216KD	250A 97.9	3 -38 41-45-35 124-11-28		217.03 186.03	31 CLEAR
ALLOC Crescent North	CA DOC-89-202	250C3 97.9	41-45-35 124-11-28		217.03 175.03	42 CLEAR
KPOD-FM CP Crescent North	Let's Talk Radio CA BPH-900816IB	250C3 97.9	25 -43 41-45-35 124-11-28		217.03 175.03	42 CLEAR
PRM Crescent North	DEL Let's Talk Radio CA DOC-93-31	250C3 97.9	41-45-35 124-11-28		217.03 175.03	42 CLEAR
ALLOC Eugene	OR	250C 97.9	44-00-05 123-06-50		252.03 157.03	95 CLEAR
KUGN-FM LIC Eugene	Combined Communications, OR BLH-910528KF	250C 97.9	100 308 44-00-08 123-06-50		252.11 157.11	95 CLEAR
ALLOC Redding	CA	251C 98.1	40-39-18 122-31-21		170.76 75.76	95 CLEAR
KVIP-FM LIC Redding	Northern Ca. Comm. Corpo CA BLH-840518DV	251C 98.1	30 521 40-39-18 122-31-21		170.76 75.76	95 CLEAR
KLDR Harbeck-Fruitdale DOC-90-603	CP Grants Pass Broadcasting OR BPH-920909ID	252C2 98.3	1.85 638 42-22-56 123-16-29		143.94 37.94	106 CLEAR
KLDR Harbeck-Fruitdale DOC-90-603	LIC Grants Pass Broadcasting OR BMLH-910729KD	252A 98.3	.13 639 42-22-56 123-16-29		143.94 71.94	72 CLEAR
ALLOC Harbeck-Fruitdale	OR DOC-91-340	252C2 98.3	42-22-56 123-16-29		143.94 37.94	106 CLEAR
KTWS Bend	APC The Confederated Tribes/ OR BPH-920917IG	252C3 98.3	6.80 191 44-04-41 121-19-57		229.30 140.30	89 CLEAR
KTWS Bend DA: oddball	LIC The Confederated Tribes/ OR BLH-901211KB ODD900416ID @ 0 deg	252C3 98.3	7DA 44-04-41 188 121-19-57		229.30 140.30	89 CLEAR
ALLOC Bend	OR DOC-89-208	252C3 98.3	44-04-41 121-19-57		229.30 140.30	89 CLEAR

FM Spacing study

Title: MERRILL OR.
Channel 253 A (98.5 MHz)

Latitude: 42-01-24
Longitude: 121-36-00

Call City of License	Auth Licensee name St FCC File no.	Chan ERP-kW Freq EAH-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
KYTT-FM LIC Coos Bay	Mustard Seed Broadcaster OR BLH-781103AJ	252A 98.3	.70 168 43-23-26 124-07-46		256.93 184.93	72 CLEAR
KXBX-FM LIC Lakeport DOC-83-1092	Vis. Radio Euphonics of CA BLH-850219KW	252A 98.3	3 91 39-02-54 122-45-59		344.82 272.82	72 CLEAR
ALLOC Lakeport	CA	252A 98.3	39-02-54 122-45-59		344.82 272.82	72 CLEAR
PRM Keno	ADD Brett E. Miller OR	253A 98.5	42-07-30 121-55-42		29.42 85.58	115 SHORT**
KSAY Fort Bragg	APC Wade Axell CA BMLH-920205KA	253A 98.5	3.30 136 39-28-03 123-45-34		337.37 222.37	115 CLEAR
ALLOC Fort Bragg	CA	253B1 98.5	39-28-03 123-45-34		337.37 194.37	143 CLEAR
ALLOC Portland	OR	253C 98.5	45-27-13 122-32-45		388.67 162.67	226 CLEAR
KUPL-FM LIC Portland	Scripps-Howard Broadcast OR BLH-860324KF	253C 98.5	100 337BT 45-27-13 122-32-45		388.67 162.67	226 CLEAR
KNCI Sacramento	APC Nationwide Communication CA BPH-930412ID	253B 98.5	50 151 38-38-53 121-05-51		377.21 199.21	178 CLEAR
ALLOC Sacramento	CA	253B 98.5	38-38-35 121-05-51		377.76 199.76	178 CLEAR
KNCI Sacramento	LIC Nationwide Communication CA BLH-800729AA	253B 98.5	50 152 38-38-35 121-05-51		377.76 199.76	178 CLEAR
ALLOC Coos Bay	OR	254C2 98.7	43-23-26 124-07-46		256.93 150.93	106 CLEAR
KCMT Chester	LIC Ralph E. Wittick CA BLH-890427KB	255C 98.9	25 737 40-14-00 121-01-11		204.67 109.67	95 CLEAR
ALLOC Chester	CA	255C 98.9	40-14-00 121-01-11		204.67 109.67	95 CLEAR
KPNW-FM LIC Eugene	Pacific Northwest Broadc OR BLH-840409BY	256C 99.1	100 497 44-06-56 122-59-56		258.86 163.86	95 CLEAR
ALLOC Eugene	OR	256C 99.1	44-06-56 122-59-56		258.86 163.86	95 CLEAR

>> End of channel 253C study <<

SERVICE CERTIFICATION

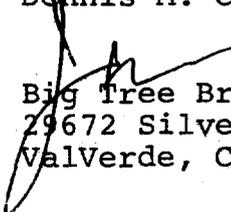
I, Dennis M. Crepps, President of Big Tree Broadcasting, Inc., do hereby proclaim under penalty of perjury that I have cause to submit the enclosed counterproposed rulemaking request and opposition to the proposed rulemaking at Keno, Oregon and that I have sent by first class United States Mail a true copy to the following:

Ms Leslie K. Sharpio
Federal Communications Commission
1919 M Street NW
Washington, DC 20054

Mr Brett E. Miller
11608 Blossomwood Court
Moorpark, Ca. 93021

Dated: Sept. 15, 1993.

Dennis M. Crepps, President


Big Tree Broadcasting, Inc.
29672 Silver Street
ValVerde, Ca. 91384