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THE MCPHERSON BUILDING

901 FIFTEENTH STREET, N.W., SUITE 1100

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(202) 682-3500

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1040 BRUSSELS, BELGIUM  
(322) 514-4300

WRITER'S DIRECT DIAL NUMBER

(202) 682-3538

November 3, 1993

Mr. William F. Caton  
Secretary  
Federal Communications Commission  
Mass Media Services  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Re: HLG, Inc.  
Station WHLG(FM), Jensen Beach, Florida

and

City Broadcasting Company, Inc.  
Station WGGD(FM), Melbourne, Florida

Dear Mr. Caton:

On behalf of HLG, Inc. and City Broadcasting Company, Inc., licensees of the above-referenced radio stations at Jensen Beach, Florida and Melbourne, Florida, respectively, there is transmitted herewith a Joint Petition for Rulemaking proposing the amendment of the FM Table of Allotments in order to substitute Channel 272C3 for Channel 272A at Jensen Beach, Florida and to modify the license for WHLG(FM) accordingly, and to substitute Channel 236A for Channel 272A at Melbourne, Florida and to modify the license for Station WGGD(FM) accordingly.

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Mr. William F. Caton

- 2 -

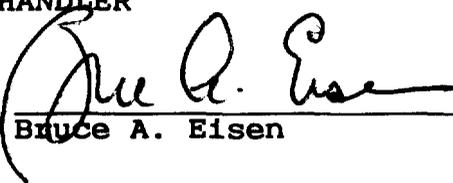
November 3, 1993

Should any questions arise with regard to this matter,  
kindly communicate directly with this office.

Respectfully submitted,

KAYE, SCHOLER, FIERMAN, HAYS  
& HANDLER

By:

  
Bruce A. Eisen

Enclosure

**Federal Communications Commission**

NOV - 3 1993

WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the matter of	)	
	)	
Amendment of § 73.202(b)	)	MM Docket No. _____
FM Table of Allotments	)	RM _____
	)	
Jensen Beach, Florida	)	
Melbourne, Florida	)	

To: Chief, Policy and Rules Division

JOINT PETITION FOR RULEMAKING

HLG, Inc. ("HLG"), licensee of Station WHLG(FM) at Jensen Beach, Florida, and City Broadcasting Co., Inc. ("City"), licensee of Station WGGD(FM) at Melbourne, Florida, hereby respectfully jointly request that the Commission amend § 73.202(b) of its rules, the FM Table of Allotments, to (i) substitute Channel 272C3 for Channel 272A at Jensen Beach, Florida and modify the license for Station WHLG(FM) accordingly and; (ii) substitute Channel 236A for Channel 272A at Melbourne, Florida and modify the license for Station WGGD(FM) accordingly.

In support of this allocation request, the following is respectfully shown:

1. As is demonstrated in the attached engineering statement, stations WHLG(FM) and WGGD(FM) are presently Class A FM stations limited to a maximum ERP of 3 kw because of the existing mileage separations between their respective transmitter sites. Channel 272C3 can be assigned to Jensen Beach at WHLG(FM)'s existing transmitter site but for the co-channel

allotment to WGGD(FM) at Melbourne. In order to allow the upgrade of WHLG(FM) the parties propose the deletion of Channel 272A at Melbourne and the concomitant allotment of Channel 236A to that community.

2. The attached engineering study shows that the proposed Melbourne allotment will meet all Commission requirements at the specified transmitter site. Moreover, the substitution of Channel 236A for Channel 272A at Melbourne will permit improved coverage of both the community and the service area at a power of 6 kw.

3. The proposed upgrade of WHLG(FM), based on an ERP of 3 kw and an antenna height of 87 meters AAT, will allow that station to provide a new service to 120,353 persons. Hence, both stations will increase their coverage and provide new services to a significant aggregate population. The Commission has determined that expanded listener service increases spectrum efficiency and provides clear benefits to the public. See Report and Order, MM Docket No. 5-313, 60 RR 2d 114, 118 (1986). Hence, this proposal would serve the public interest.

4. Because Channel 272C3 at Jensen Beach could not be available to a third party for use in that community, HLG's license may be modified to specify operation on the higher class channel pursuant to Section 1.420(g) of the Commission's rules. Upon grant of this request, and ultimate grant of an appropriate application, HLG will proceed promptly with construction of its upgraded facility. City is willing to seek a modification of its

existing license to allow for the upgrade, and HLG has agreed to reimburse City for the reasonable costs associated with changing its channel so as to operate on Channel 236A at Melbourne. City, too, will promptly implement its change of channel.

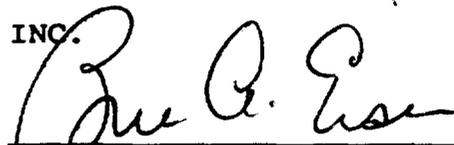
5. Based on the foregoing, HLG and City hereby respectfully request that the Commission modify its FM Table of Allotments as follows:

<u>City</u>	<u>Delete</u>	<u>Add</u>
Jensen Beach, Florida	272A	272C3
Melbourne, Florida	272A	236A

Respectfully submitted,

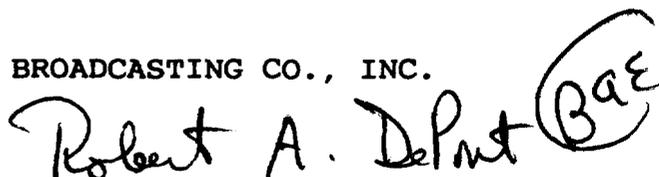
HLG, INC.

By:

  
Bruce A. Eisen

CITY BROADCASTING CO., INC.

By:

  
Robert A. DePont

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**ENGINEERING STATEMENT IN SUPPORT OF  
PETITION FOR RULEMAKING  
TO ADD CHANNEL 272C3  
TO JENSEN BEACH, FLORIDA  
AND CHANGE FROM CHANNEL 272A TO 236A  
AT MELBOURNE, FLORIDA**

**HLG INCORPORATED  
JENSEN BEACH, FLORIDA**

**29 SEPTEMBER 1993**

**TELECOMMUNICATIONS CONSULTANTS**

210 W. Fourth Street, P.O. Box 8026 ● Greenville, North Carolina ● 919-757-0279 FAX 919-752-9155

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Law Offices of  
James H. Smith

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**ENGINEERING STATEMENT IN SUPPORT OF  
PETITION FOR RULEMAKING  
TO ADD CHANNEL 272C3 TO JENSEN BEACH, FLORIDA  
AND CHANGE FROM CHANNEL 272A TO 236A  
AT MELBOURNE, FLORIDA**

**HLG INCORPORATED  
JENSEN BEACH, FLORIDA**

**29 SEPTEMBER 1993**

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**ENGINEERING STATEMENT IN SUPPORT OF  
PETITION FOR RULEMAKING  
TO ADD CHANNEL 272C3 TO JENSEN BEACH, FLORIDA  
AND CHANGE FROM CHANNEL 272A TO 236A  
AT MELBOURNE, FLORIDA**

This statement has been prepared in support of a Petition for Rulemaking on behalf of HLG Incorporated, licensee of FM Radio Station WHLG, Jensen Beach, Florida. The petitioner is requesting the replacement of Channel 272A with Channel 272C3 at Jensen Beach and modification of the WHLG license to operate on the higher channel. It is also requested that Channel 272A be replaced by Channel 236A in Melbourne, Florida and that FM Radio Station WGGD be ordered to operate on this channel. City Broadcasting Company, the licensee of Station WGGD, has consented to this channel change.

Stations WHLG and WGGD are both limited to a maximum ERP of 3 kW due to the existing mileage separation between the two transmitter sites. The minimum mileage separation for 6 kW Class A stations is 115 kilometers whereas the actual separation is 101.4 kilometers.

Annex 1.0 is an allocation study for Channel 272C3 based upon the existing WHLG transmitter site, showing that the proposed allotment meets all FCC requirements with the exception of the co-channel allotment to WGGD, Melbourne, Florida. As was stated previously, the allotment of Channel 272A in Melbourne is being proposed to be deleted and Channel 236A allotted as a result of the instant petition.

Annex 2.0 is an allocation study for Channel 236A in Melbourne based upon a hypothetical transmitter site, showing that the proposed allotment would meet all FCC requirements at that site. The geographic coordinates of the allotment point are: N 28° 08' 08", W 80° 35' 35".

Annex 3.0 is a map showing the predicted 60 dBu contours for the present operation of WHLG operating on Channel ~~232A~~<sup>272A</sup> and the proposed operation on Channel 272C3. The present contour is based on an ERP of 3 kW and an antenna height of 87 meters AAT. The Channel 272C3 contour is based on an ERP of 25 kW with an antenna height of 100 meters AAT. Based on 1990 population data, the proposed Class C3 operation will provide a new service to 120,353 persons. The proposed operation of WGGD on Channel 236A would also provide a new service to a substantial number of persons.

The instant proposal would provide both WHLG and WGGD opportunities to increase their coverage and provide new services to a significant number of persons. If this proposal is effectuated, in excess of 150,000 persons along the east coast of Florida would receive a new FM service.

The changes in the Table of Allotments proposed in this petition are summarized as follows:

<u>CITY</u>	<u>DELETE</u>	<u>ADD</u>
Jensen Beach, Florida	272A	272C3
Melbourne, Florida	272A	236A

\* \* \* \* \*

Under penalty of perjury it is stated that the information contained herein is true and correct to the best of my knowledge and belief.

  
Raymond E. Rohrer, P.E.  
Engineering Consultant

29 September 1993

ANNEX 1.0

WHLG 272C3 ALLOCATION STUDY

WHLG INCORPORATED  
JENSEN BEACH, FLORIDA

CH	Call	City	ST	Status	Bear.	Dist.	Dist.	Reqd. Result
274C	WMXJ	Pompano Beach	FL	LIC	178.0	138.4	96.0	
272A	NEW	Miami	FL	CP	177.8	158.8	142.0	16.8
269C3	WAVW	Vero Beach	FL	APP	342.7	44.9	43.0	1.9
269C3		Vero Beach	FL	VACANT	343.5	49.0	43.0	6.0
219A	WWFR	Okeechobee	FL	LIC	231.9	16.7	12.0	4.7
274A	WHKR	Rockledge	FL	CP	339.3	136.8	42.0	
272A	WGGDFM	Melbourne	FL	LIC	340.7	101.4	142.0	-40.6
270C	WHEW	Fort Myers	FL	LIC	237.2	161.3	96.0	
273C	WHPT	Sarasota	FL	LIC	276.7	198.5	176.0	

ANNEX 2.0

WHLG 236A ALLOCATION STUDY

WHLG INCORPORATED  
JENSEN BEACH, FLORIDA

CH	Call	City	ST	Status	Bear.	Dist.	Dist.	Reqd. Result
235C	WZTA	Miami Beach	FL	LIC	171.0	243.3	165.0	
238C1	WOVV	Fort Pierce	FL	LIC	169.8	114.1	75.0	
234A		Gifford	FL	VACANT	160.3	57.9	31.0	
234A	NEW	Gifford	FL	APPGID	171.3	63.0	31.0	
234A	NEW	Gifford	FL	APPDID	163.2	59.7	31.0	
234A	NEW	Gifford	FL	APPDID	167.3	55.3	31.0	
234A	NEW	Gifford	FL	APPDID	164.0	46.7	31.0	15.7
234A	NEW	Gifford	FL	APPDID	161.4	46.7	31.0	15.7
237A	WTLNFM	Apopka	FL	LIC	303.3	105.3	72.0	
233C	WCFB	Daytona Beach	FL	LIC	318.4	126.1	95.0	
290C	WOCL	Deland	FL	LIC	321.1	112.4	29.0	
236C	WAPEFM	Jacksonville	FL	LIC	337.5	263.0	226.0	
237C1	WOLZ	Fort Myers	FL	LIC	222.2	225.3	133.0	
235C	WYNFFM	Tampa	FL	LIC	258.1	165.8	165.0	.8

ANNEX 3.0

WHLG PREDICTED CONTOURS

HLG INCORPORATED  
JENSEN BEACH, FLORIDA

