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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington DC

JUN 21 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In Re )  
 )  
Amendment of Section 73.202(b) ) MM DOCKET NO. 92-217  
FM TABLE OF ALLOTMENTS )  
Camden, East Camden and )  
Stamps, AR; Minden LA )

TO: MASS MEDIA (Policy & Rules) STOP 1800D5

MOTION TO SEVER

Y95 Radio, licensee of Station KCXY, by its attorney, respectfully requests that the Commission sever the proposal for Camden/East Camden from the proceeding on allotment of a first FM channel at Gibsland LA, and consider the allotment of Channel 283A at Gibsland. In support thereof the following is shown:

Y95 Radio's Petition requests that Channel 237C1 be allotted to East Camden AR, and that the license for KCXY be modified accordingly. Bienville Parish Broadcasting (BPB) in its Petition requested the allotment of Channel 239A at Gibsland LA. However, Y95 Radio pointed out in its Reply (December 4, 1992) that Channel 283A can be allotted to Gibsland in full accordance with all spacing requirements. That proposal was entered in the Commission's computer database, and has been protected against any shortspacing by later applications or petitions.

Y95 Radio filed its Petition over two years ago. Resolution of this proceeding has been unduly delayed because the Commission imposed a "freeze" on Orders allotting new FM

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channels, and on other actions which could lead to a comparative hearing. This followed the Court's decision in Bechtel v. FCC, 10 F.3d 875 (D.C. Cir. 1993) concerning the Commission's comparative criteria. Unfortunately, the "freeze" has also held up the modification of KCXY's license and allotment of Channel 237C1 to East Camden, which would bring new FM service to 137,855 persons and bring East Camden its first local station (see the Y95 Radio Petition).

Since Channel 283A is available for allotment at Gibsland, the public interest is not served by delaying further the resolution of the East Camden allotment proposal. The East Camden proposal should be severed from the question of allotment of Channel 283A at Gibsland, and the East Camden allotment should be finalized. The public interest would be served by this new allotment at East Camden, with new wide area coverage by KCXY. The freeze should not delay for long periods the Commission's actions in the public interest on non-comparative matters.

Respectfully submitted,

Y95 RADIO

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CERTIFICATE OF SERVICE

I certify that I have this 20 day of June 1994  
served a true and correct copy of the foregoing by U.S. mail,  
first class, postage prepaid, upon:

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