

ORIGINAL

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

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In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations,)
Big Pine Key, Key Colony Beach,)
Naples and Tice, Florida)

MM Docket No. 94-155
RM-8468

To: Chief, Allocations Branch

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

JOINT COMMENTS AND COUNTERPROPOSAL

AMATURO GROUP, LTD.
WSUV, INC.
GGG BROADCASTING, INC.
GLADES MEDIA COMPANY

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Summary

Amaturo Group, Ltd., WSUV, Inc., Glades Media Company and GGG Broadcasting, Inc. (collectively, "Counterproponents") propose two alternative counterproposals for upgrading four stations and, in the second alternative propose the addition of a new first local service. Depending on the alternative selected, the counterproponents will provide wide area service to either an additional 1,121,223 or 972,699 persons.

Gulf Communications Partnership ("Gulf"), licensee of WAAD(FM), Tice, Florida, whose petition for rule making led to the instant Notice of Proposed Rule Making, will provide an upgrade for just one station, resulting in wide area service for only 247,873 additional persons. Gulf does not propose new first local service.

Either of the Counterproponents alternative counterproposals will provide wide area service to over 724,000 to 870,000 more listeners than Gulf's proposal, or approximately 3 to 3.5 times the number of additional listeners. Either alternative would therefore better serve the public interest and the goals of Section 307(b) of the Communications Act. Consequently, the Commission should grant either of the Counterproponents counterproposals and deny Gulf's proposal.

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JOINT COMMENTS AND COUNTERPROPOSAL

Amaturo Group, Ltd. ("Amaturo"), licensee of WPBZ(FM), Indiantown, Florida; WSUV, Inc. ("WSUV"), licensee of WROC(FM), Fort Myers Villas, Florida; GGG Broadcasting, Inc. ("GGG"), permittee of WJBW(FM), Jupiter, Florida; and Glades Media Company, licensee of WAFC-FM, Clewiston, Florida (collectively, "Counterproponents"), by their attorneys, and pursuant to Sections 1.415 and 1.420 of the Commission's rules, hereby file their Joint Comments and Counterproposal to the Notice of Proposed Rule Making, FCC DA 94-1501, (released December 27, 1994) (Chief, Allocations Branch), ("NPRM").¹

1. As described in greater detail below, the Counterproponents offer two counterproposals to the NPRM. Gulf Communications Partnership ("Gulf"), licensee of WAAD(FM), Tice, Florida, proposes, inter alia, substitution of Channel 284A for WNOG-FM, Naples, Florida in order to upgrade one station. In contrast, the

¹ The NPRM authorizes the filing of comments on or before February 17, 1995. Thus, these comments are timely filed.

Counterproponents propose an alternative use of Channel 284, thereby permitting upgraded service for four stations, with wide area service to either an additional 1,121,223 or 972,699 persons. See Engineering Statement of James Johnson, ("Engineering statement") at Exhibits 13A & 13B.² In addition, the second alternative includes a proposal for the allotment of a first local service to Palm River, Florida.

2. In addition, favorable action on either counterproposal would resolve favorably pending proposals for service improvements in Southern Florida³ as well as a pending application to retain full Class C Status for WWUS(FM) at Big Pine Key, Florida.⁴ Granting either alternative would render moot pending petitions for reconsideration in Clewiston and Big Pine Key, thereby expediting wide area service to the public. In support whereof, the following is shown.

² Mr. Johnson's Engineering Statement is attached as Exhibit 1.

³ In a previous rule making proceeding, Counterproponents proposed upgrades for FM Radio Broadcast Stations in Fort Myers Villas, Jupiter and Indiantown, Florida. The Commission dismissed the counterproposal on procedural grounds. Clewiston, Florida, 9 FCC Rcd 4051, 4052 (Chief, Allocations Branch, 1994). Counterproponents have pending a petition for reconsideration of the Commission's decision.

⁴ Crain Broadcasting, Inc., licensee of WWUS(FM), Big Pine Key, Florida, filed an application to retain full Class C Status (File No. BPH-870302MQ). The Commission returned the application and downgraded WWUS to Channel 284C1. Memorandum Opinion and Order, 8 FCC Rcd 4406 (1993). Crain has appealed the Commission's decision.

INTRODUCTION

3. On September 23, 1994, Gulf filed a petition for rule making with the Commission seeking to amend the Table of Allotments as follows:

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>	<u>Call Sign</u>
Tice	229A	229C2	WAAD (FM)
Big Pine Key	284C	283C	WWUS (FM)
Key Colony Beach	280C2	267C2	WKKB (FM)
Naples	228A	284A	WNOG-FM

In response to Gulf's petition, the Commission issued a Notice of Proposed Rulemaking, FCC DA 94-1501, (released December 27, 1994), seeking comments on the proposal.

4. Counterproponents hereby advance two counterproposals to the Gulf rule making petition in the following order of preference:

FIRST ALTERNATIVE

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>	<u>Call Sign</u>
Indiantown	276C2	276C1	WPBZ (FM)
Naples	276C3	284C3	WSGL (FM)
Big Pine Key	284C	281C	WWUS (FM)
Key Colony Beach	280C2	267C2	WKKB (FM)
Ft. Myers Villas	292A	292C2	WROC (FM)
Clewiston	292A	258C3	WAFC-FM
Jupiter	258A	292C3	WJBW (FM)
Avon Park	292A	256A	WWOJ (FM)

SECOND ALTERNATIVE

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>	<u>Call Sign</u>
Indiantown	276C2	276C1	WPBZ (FM)
Naples	276C3	284C3	WSGL (FM)
Big Pine Key	284C	281C	WWUS (FM)
Key Colony Beach	280C2	267C2	WKKB (FM)
Palm River ⁵	---	292A	----
Ft. Myers Villas	292A	275C2	WROC (FM)
Clewiston	292A	258C3	WAFC-FM
Jupiter	258A	292C3	WJBW (FM)

Counterproponents also request that the licenses of the stations listed above be modified accordingly.

I. DISCUSSION

A. FIRST ALTERNATIVE

5. The first alternative proposes a co-channel upgrade for WPBZ from Channel 276C2 to Channel 276C1. Because Channel 276C1 is short-spaced to WSGL on Channel 276C3, Channel 284C3 must be substituted for Channel 276C3 at Naples and the license of WSGL modified accordingly.

6. Substituting Channel 284C3 for WSGL conflicts with Gulf's proposal to allot Channel 284A in lieu of 228A for WNOG at Naples, and Channel 283C in lieu of 284C for WWUS at Big Pine Key. In addition, Channel 284C3 is short-spaced to WWUS on Channel 284C. Resolution of the conflict and the short-spacing is achieved with the following channel substitutions. First, substitute Channel

⁵ While the proposal lists Palm River as the Community for the new allotment, other neighboring communities such as East Naples or Estero, Florida would also be suitable for such an allotment.

281C for Channel 284C at Big Pine Key and modify the license of WWUS accordingly⁶. This in turn requires a change in the transmitter site of WKRY(FM), Channel 228C at Key West, Florida to eliminate potential IF interference. Key Chain Broadcasting, Inc., licensee of WKRY, has consented to change its transmitter site to eliminate the short-spacing.⁷ In addition, substituting Channel 267C2 for Channel 280C2 at Key Colony Beach and modifying the permit of WKKB accordingly eliminates the short-spacing between WWUS and WKKB. Second, WNOG remains on its current Channel 228A.⁸

7. The first alternative also proposes a co-channel substitution of Channel 292C2 for Channel 292A at Fort Myers Villas, Florida and modification of WROC's license accordingly. Substitution of Channel 292C2 for WROC conflicts with a pending proposal in Clewiston to move WSGL to Channel 292C3. However, substituting Channel 284C3 for Channel 292C3 for WSGL will resolve the conflict and permit WROC to upgrade on Channel 292C2. Substituting Channel 284C3 for WSGL is mutually exclusive with Gulf's proposal to substitute Channel 284A for WNOG at Naples, Florida as previously discussed.

⁶ Substituting channel 281C is possible because of channel changes for WZMQ(FM) at Key Largo, Florida from channel 280C2 to channel 292C2, and WAVK(FM) at Marathon, Florida from channel 292A to channel 288C2 as ordered by the Commission in Clewiston, Florida 9 FCC Rcd at 4051.

⁷ Key Chain's consent is attached as Exhibit 2.

⁸ Retention of WNOG of Channel 228A precludes WAAD from upgrading to Channel 229C2.

8. Substituting Channel 292C2 for 292A at Fort Myers Villas creates a potential short-spacing to WAFC on Channel 292A at Clewiston, Florida, which is eliminated if WAFC relinquishes Channel 292 to Fort Myers Villas and moves to Channel 258C3. WAFC may upgrade on Channel 258C3 without accepting competing expressions of interest because it involves an incompatible channel swap. The incompatible channel swap occurs because relinquishing Channel 292 to Fort Myers Villas leaves Channel 258 at Clewiston as the only channel available for WAFC, because WJBW has agreed to swap its channel with WAFC.

9. The incompatible swap between WAFC and WJBW occurs because WJBW must relinquish Channel 258A to Clewiston for WAFC to move to Channel 258 and upgrade to a Class C3 facility, and WAFC in turn must relinquish Channel 292A to Jupiter for WJBW to move to Channel 292 and upgrade to a Class C3 facility. In each instance, WJBW and WAFC may operate only on the channel relinquished by the other station; no other channels are available in their respective communities. Engineering Statement at page 6 and Exhibits 8 and 9 thereto. Consequently, the upgrades are not open to competing expressions of interest.

10. Substitution of Channel 258C3 for WAFC at Clewiston requires a change in the transmitter site for WJBX(FM) on Channel 257C2 at Fort Myers Beach, Florida. Schefflera, Inc., licensee of WJBX, has consented to the change in transmitter site.⁹

⁹ Schefflera's consent is attached as Exhibit 3.

11. Substitution of Channel 292C2 for 292A at Fort Myers Villas requires two additional channel substitutions, Channel 256A for Channel 292A for WWOJ(FM) at Avon Park, Florida and Channel 293A or 293C2 for WSRZ(FM), Sarasota, Florida. The Commission has already allotted either Channel 293C2 or Channel 293A for WSRZ at Sarasota and Channel 256A for WWOJ at Avon Park.¹⁰ In addition, Highlands Media Company, Inc., licensee of WWOJ, has consented to substituting Channel 256A for Channel 292A at Avon Park.¹¹

B. Second Alternative

12. The second alternative proposes channel changes for WPBZ, WSGL, WWUS and WKKB identical with those proposed in the first alternative. Therefore, the discussion of these proposed changes contained in paragraphs 5 and 6, infra, are incorporated herein accordingly.

13. However, the second alternative also proposes the allotment of a new first local service at Palm River, Florida. Palm River is a census designated place with 3,507 residents.

¹⁰ See Beverly Hills, Florida, 8 FCC Rcd 2197 (1993) (Chief, Allocations Branch) (substituting Channel 293C2 for Channel 292A at Sarasota, Florida and modifying the license of WSRZ(FM) accordingly); Perry, Florida, 4 FCC Rcd 5599 (1989) (Chief, Policy and Rules Division), recon. granted in part and denied in part, 7 FCC Rcd 2557, 2558 (1992) (Deputy Chief, Policy and Rules Division) (substituting Channel 293A for Channel 292A at Sarasota, Florida and Channel 256A at Avon Park, Florida and modifying the license of WSRZ(FM) and WWOJ(FM) accordingly).

¹¹ Highlands Media Company's consent is attached as Exhibit 4.

14. The allotment of Channel 292A at Palm River is short-spaced to WROC on Channel 292A at Fort Myers Villas and to WAFC on Channel 292A at Clewiston. The short-spacing is eliminated by WROC and WAFC relinquishing their channels to the new allotment at Palm River and operating on Channels 275 and 258, respectively. Because these are the only channels available for WROC and WAFC in their respective communities, WROC may upgrade to Channel 275C2 and WAFC to Channel 258C3 as incompatible channel swaps. Engineering Statement at Exhibits 14-A & 14-C. Channel 275C2 is available for WROC at Fort Myers Villas only if WSGL vacates Channel 276C3 for Channel 284C3, as proposed herein.¹²

15. Substitution of Channel 258C3 at Clewiston requires substituting Channel 292C3 for WJBW at Jupiter. As discussed previously in paragraph 9, infra, substitution of Channels 258C3 and Channel 292C3 for WAFC and WJBW, respectively, is necessary and constitutes an incompatible channel swap. In addition, the substitution of Channel 258C3 for WAFC at Jupiter requires a change in the reference site WJBX(FM) at Fort Myers Beach, Florida, for which consent has been received.

¹² As discussed in paragraph 6, infra, the substitution of Channel 284C3 conflicts with Gulf's rule making petition.

C. Either Alternative Better Serves the Public Interest Than Gulf's Proposal

16. Either alternative better serves the public interest than Gulf's proposal by permitting four stations to provide wide area service to at least an additional 972,699 persons, approximately three times the number of listeners that would receive additional wide area service as a result of Gulf's proposed upgrade of a single station. In addition, the second alternative proposes to provide a new first local service to Palm River, Florida. This new facility coupled with the additional wide area service proposed for four existing stations would provide additional service to 1,121,223 listeners, more than 3.5 times the number of listeners, that would benefit from a grant of Gulf's proposal. Furthermore, the addition of a first local service is preferable to the mere provision of wide area service proposed by Gulf as better serving the goals of Section 307(b) of the Communications Act. Accordingly, the grant of either alternative contained in this counterproposal, over the proposal advanced by Gulf, would better serve the public interest.

II. Procedural Matters

A. Circleville, Ohio Doctrine

17. Amaturio, WSUV, GGG and Glades, as beneficiaries of the substitution required of WSGL, WWUS, WKKB, WWOJ and WSRZ¹³, are

¹³ Because the Commission has already allotted Channels 293 and 256 to Sarasota and Avon Park, Florida, respectively, the Counterproponents are not required to reimburse the licensee of

aware of and will honor their obligations under Commission policy to compensate the permittee and licensees of the aforementioned stations for making such channel substitutions, should their counterproposal be adopted. Circleville, Ohio, 8 FCC 2d 159 (1967).

18. Amaturro, WSUV, GGG and Glades hereby express their intention to file appropriate applications to implement upgrades for their stations, should this counterproposal be adopted. Furthermore, GGG hereby states its intention to file an application to construct a radio station on Channel 292A at Palm River or such other community, if the Commission grants the second alternative.

B. Columbus Doctrine

19. Each alternative requires at most two involuntary channel changes and therefore complies with the requirements of the Columbus doctrine. See Columbus, Nebraska, 59 RR 2d 1184 (1986). The first alternative involves channel changes for four operating stations other than the Counterproponents' stations: WWUS, WWOJ, WSGL and WKKB. WWOJ has consented to change channels¹⁴. WKKB is an authorized but unbuilt station and therefore no consent is required. See Big Pine Key, FCC DA 94-1501 at 2 (released December

either station. However, should the Commission determine that the Counterproponents must reimburse these licensees, the Counterproponents hereby state their intention to do so.

¹⁴ Because the Commission has already allotted Channel 256 to Avon Park, Florida, the counterproponents are not required to obtain the consent of Highlands Media Company for the proposed change of Channels for WWOJ. However, as discussed above, out of an abundance of caution, such consent has been obtained.

27, 1994) (Chief, Allocations Branch). No channel changes are proposed for WNOG or WAAD. Because the Commission has already ordered WSRZ to move to either Channel 293C2 or Channel 293A in previous rule making proceedings and has amended the FM Table of Allotments to reflect the Channel 293C2 allotment, no further channel change is required for WSRZ. WSGL and WWUS are the only involuntary changes proposed to operating stations. Therefore, the first alternative complies with the Columbus doctrine.

20. The second alternative involves channel changes for three operating stations other than the Counterproponents' stations: WSGL, WKKB and WWUS. As discussed in the previous paragraph, because WKKB is an authorized but unbuilt station, its consent is not required. WSGL and WWUS are the only involuntary changes proposed to operating stations. Therefore, the second alternative also complies with the Columbus doctrine.

Conclusion

The Counterproponents advance two alternative counterproposal to provide wide area service for four stations to more members of the public than the Gulf proposal. In addition, the second alternative provides a new first local service, whereas the Gulf proposal does not. Either alternative counterproposal better serves the public interest and the goals of Section 307(b) of the Communications Act than the Gulf proposal. Furthermore, as discussed above, a grant of either of the counterproposal alternatives further serves the public interest by resolving

pending petitions for reconsideration in Clewiston, Florida and Big Pine Key. Therefore, the Commission should grant either alternative counterproposal.

WHEREFORE, for the foregoing reasons, Amaturro Group, WSUV, Inc., GGG Broadcasting, Inc. and Glades Media Company respectfully request that the Commission grant their counterproposal and that the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, be amended in the following respects:

FIRST ALTERNATIVE

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>	<u>Call Sign</u>
Indiantown	276C2	276C1	WPBZ (FM)
Naples	276C3	284C3	WSGL (FM)
Big Pine Key	284C	281C	WWUS (FM)
Key Colony Beach	280C2	267C2	WKKB (FM)
Ft. Myers Villas	292A	292C2	WROC (FM)
Clewiston	292A	258C3	WAFC-FM
Jupiter	258A	292C3	WJBW (FM)
Avon Park	292A	256A	WVOJ (FM)

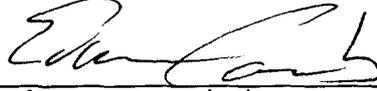
SECOND ALTERNATIVE

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>	<u>Call Sign</u>
Indiantown	276C2	276C1	WPBZ (FM)
Naples	276C3	284C3	WSGL (FM)
Big Pine Key	284C	281C	WWUS (FM)
Key Colony Beach	280C2	267C2	WKKB (FM)
Palm River	---	292A	----
Ft. Myers Villas	292A	275C2	WROC (FM)
Clewiston	292A	258C3	WAFC-FM
Jupiter	258A	292C3	WJBW (FM)

Respectfully submitted,

**AMATURO GROUP
WSUV, INC.
GGG BROADCASTING, INC.
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February 17, 1995

**EXHIBIT 1
ENGINEERING STATEMENT OF
JAMES JOHNSON**

**ENGINEERING EXHIBIT
SUPPORTING COMMENTS FOR A COUNTERPROPOSAL
TO MM DOCKET NO. 94-155**

AMATURO GROUP, LTD., WSUV, INC., GGG BROADCASTING, INC.
AND GLADES MEDIA COMPANY

TO AMEND THE FM TABLE OF ALLOTMENTS AT:

INDIANTOWN, FLORIDA
NAPLES, FLORIDA
BIG PINE KEY, FLORIDA
KEY COLONY BEACH, FLORIDA
TICE, FLORIDA
FORT MYERS VILLAS, FLORIDA
CLEWISTON, FLORIDA
JUPITER, FLORIDA
PALM RIVER, FLORIDA

FEBRUARY, 1995

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ENGINEERING STATEMENT
COUNTERPROPOSAL IN MM DOCKET 94-155

This Engineering Statement has been prepared on behalf of WSUV, Inc. ("WSUV"), Licensee of WROC, Fort Myers Villas, Florida, Amaturio Group Ltd. ("Amaturio"), Licensee of WPBZ, Indiantown, Florida, GGG Broadcasting, Inc. ("GGG"), Licensee of WJBW, Jupiter, Florida and Glades Media Company ("Glades"), Licensee of WAFC-FM, Clewiston, Florida ("The Counterproponents") in support of a counterproposal to MM Docket No. 94-155 to amend 73.202(b) of the Commission's rules.

The following changes are proposed in MM Docket No. 94-155:

	Channel No.	
	Present	Proposed
Tice, Florida	229A	229C2
Big Pine Key, Florida	284C	283C
Key Colony Beach, Florida	280C2	267C2
Naples, Florida	228A	284A

The following changes are counterproposed in Alternate Plan 1

	Channel No.	
	Present	Proposed
Indiantown, Florida	276C2	276C1
Naples, Florida	276C3	284C3
Big Pine Key, Florida	284C	281C
Key Colony Beach, Florida	280C2	267C2
Naples, Florida	228A	228A
Tice, Florida	229A	229A
Fort Myers Villas, Florida	292A	292C2
Clewiston, Florida	292A	258C3
Jupiter, Florida	258A	292C3
Avon Park, Florida	292A	256A

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The following changes are counterproposed in Alternate Plan 2

	Channel No.	
	Present	Proposed
Indiantown, Florida	276C2	276C1
Naples, Florida	276C3	284C3
Big Pine Key, Florida	284C	281C
Key Colony Beach, Florida	280C2	267C2
Tice, Florida	229A	229A
Naples, Florida	228A	228A
Fort Myers Villas, Florida	292A	275C2
Clewiston, Florida	292A	258C3
Jupiter, Florida	258A	292C3
Palm River, Florida	-----	292A

The above counterproposals conflict with Docket No. 94-155 due to the incompatibility of the proposed use of Channel 284 at Naples, Florida and Channel 283 at Big Pine Key, Florida, Channel 228A at Naples, Florida and 229A at Tice, Florida.

1. Indiantown, Florida (WPBZ)

Counterproponents propose that the Commission substitute Channel 276C1 for Channel 276C2 at Indiantown, Florida at the reference coordinates North Latitude 26° 56' 22" and West Longitude 80° 07' 04". Exhibit 1-A is a spacing study for the present Indiantown operating facility. Exhibit 1-B is the spacing study for Counterproposal No. 1. Exhibit 1-C is the spacing study for Counterproposal No. 2. The population for all of the Indiantown Counterproposals increases from 733,094 for the present operating facility to 1,176,488 for the proposed, an increase of 443,394 persons within the 1.0 mV/m contour for the Class C1 operation. The Channel 276C1 proposal is short-spaced to Channel 276C3 at Naples.

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2. Naples, Florida (WSGL)

The substitution of 276C1 at Indiantown is shortspaced to Channel 276C3 at Naples. The Counterproponents request the substitution of Channel 284C3 for Channel 276C3 at Naples for the existing operation of WSGL. There is no change in the existing site proposed. Exhibit 2-A is a spacing study for the present operating facility. Exhibit 2-B is a spacing study for use of Channel 284C3 in Counterproposals #1 and #2. There are no changes in coverage or population proposed for WSGL.

3. Big Pine Key, Florida (WWUS)

The substitution of Channel 284C3 at Naples is shortspaced to Channel 283C as proposed in Docket 94-155 as well as the present operation on 284C or C1 at Big Pine Key. The counterproposal will use Channel 281C at Big Pine Key to clear the Naples use of 284C3. To allow use of Channel 281C, it is necessary to change Key Colony Beach from Channel 280C2 to Channel 267C2 as proposed in Docket 94-155. The use of Channel 281C is short spaced to the present operation of WKRY on Channel 228C2 at Key West. WKRY consents to a site change to accommodate the use of Channel 281C at Big Pine Key. Exhibit 3-A is a spacing study for the present operating facility. Exhibit 3-B is a study showing the spacings as proposed in Docket 94-155. Exhibit 3-C is a spacing study with Big Pine Key operating with the counterproposed facilities on Channel 281C at the present site.

4. Key Colony Beach, Florida (WKKB)

The use of Channel 281C at Big Pine Key is shortspaced to the use of Channel 280C2 at Key Colony Beach as proposed in MM Docket 93-136. The Counterproponents request the

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Counterproposal in MM Docket 94-155

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Commission substitute Channel 267C2 for Channel 288C2 or 280C2 at Key Colony Beach, Florida, at the reference coordinates North Latitude 24° 42' 25" and West Longitude 81° 06' 17". This site is the same as the currently authorized CP for WKKB on Channel 288C2. Exhibits 4-A and 4-B are spacing studies for the present and proposed Key Colony Beach allocations. There are no population changes at Key Colony Beach based on these changes. This station has a Construction Permit but has not commenced operations.

5. Naples, Florida (WNOG-FM)

The Counterproponents propose no change in the operation of Channel 228A under Counterproposals #1 or #2. Exhibit 5-A is a spacing study for the existing WNOG-FM facilities.

6. Tice, Florida (WAAD C.P.)

There are no changes proposed to the existing Tice allocation. Exhibit 6-A is a spacing study for the present WAAD C.P. facilities.

7. Fort Myers Villas, Florida(WROC)

In counterproposal #1, it is proposed to substitute Channel 292C2 for Channel 292A at Fort Myers Villas for the existing operation of WROC at the new reference coordinates of North Latitude 26° 19' 00" West Longitude 81° 47' 13". WROC currently operates as a shortspaced Class A station with 6 kilowatts and a directional antenna to protect WAFC-FM, Clewiston. Exhibit 7-A is a spacing study for the present operating facility. Exhibit 7-B is a spacing study for Counterproposal #1. This Counterproposal requires Channel 292A in Clewiston to change frequency to accommodate the upgrade. Counterproposal #1 requires

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substitution of 256A for 292A at Avon Park, Florida, a substitution granted in MM Docket 87-455. The above change would increase the population covered by WROC from a present 294,538 to a proposed 485,138, an increase of 190,600 persons within the 1mV/m contour. In Counterproposal #2, as an alternate, it is proposed to substitute Channel 275C2 for Channel 292A at the reference North Latitude 26° 29' 20" West Longitude 82° 00' 42". This counterproposal requires the change of Channel 276C3 to Channel 284C3 in Naples for WSGL. Exhibit 7-C is a spacing study for Counterproposal #2. Counterproposal #2 would increase the population covered by WROC from a present 294,538 to a proposed 478,599, an increase of 184,061 persons within the 1 mV/m contour.

8. Clewiston, Florida (WAFC-FM)

The Counterproponents propose to substitute Channel 258C3 for Channel 292A at Clewiston, in an incompatible channel swap. Channel 258A at Jupiter would change to Channel 292C3. The reference coordinates for the proposed Clewiston allocation are North Latitude 26° 41' 00", West Longitude 80° 46' 00". This site is short spaced to the existing operation of WJBX, Fort Myers Beach which operates on Channel 257C2. WJBX has consented to a site change to a new reference of North Latitude 26° 27' 30", West Longitude 81° 56' 40". Exhibit 8-A is a spacing study of the present WAFC-FM facilities. Exhibit 8-B is a spacing study for Counterproposals #1 and #2. The population for WAFC-FM increases from 48,395 for the existing operation to 52,536 for the Counterproposals, an increase of 4,141 persons within the 1 mV/m contour.

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9. Jupiter, Florida (WJBW)

The Counterproponents propose to substitute Channel 292C3 for Channel 258A at Jupiter, in an incompatible channel swap with Clewiston. The reference coordinates for the proposed allocation are North Latitude 26° 51' 30", West Longitude 80° 06' 00". Exhibit 9-A is a spacing study for the present WJBW facility. Exhibit 9-B is a spacing study for Counterproposals #1 and #2. The population for WJBW increases from 302,829 for the present operation to 637,393 for the counterproposed, an increase of 334,564 persons within the 1 mV/m contour.

10. Palm River, Florida (NEW)

Counterproposal #2 provides a new service to Palm River on Channel 292A, from a site located at North Latitude 26° 12' 53" and West Longitude 81° 46' 56". There is 3.16 mV/m contour coverage over the entire Palm River area. Exhibit 10-A is a spacing study from the above reference location.

11. Avon Park, Florida (WVOJ)

Docket 87-455 proposes the use of Channel 256A at Avon Park as a substitute for Channel 292A. This substitution is required for Counterproposal #1. Exhibit 11-A is the present operation. Exhibit 11-B is the operation proposed in MM Docket 87-455 and Counter Proposal #1.

12. Fort Myers Beach, Florida(WJBX)

The substitution of Channel 258C3 at Clewiston requires a change in the transmitter site for WJBX, Fort Myers Beach. The proposed WJBX site is located at North Lat. 26° 27' 30"

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West Longitude $81^{\circ} 56' 40''$. Exhibit 12-A is a spacing study for the current operation of WJBX. Exhibit 13-B is a spacing study for the proposed reference site.