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AUG 11 1995

August 11 1995
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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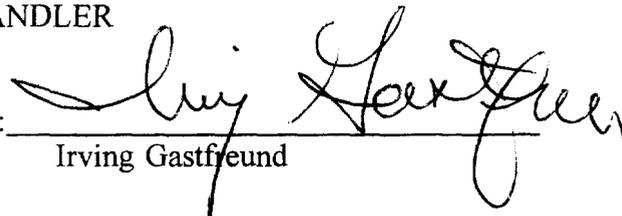
Re: MM Docket No. 95-88
(RM-8641)
Amendment of The FM Table
of Allotments
(Rose Hill and Trenton,
North Carolina)

Dear Mr. Caton:

Submitted herewith for filing, on behalf of our client, W & B Media, Inc., licensee of Radio Station WSFL-FM, New Bern, North Carolina, are an original and four copies of its Supplement to Comments in the above-referenced FM channel allotment rulemaking proceeding.

Respectfully submitted,

KAYE, SCHOLER, FIERMAN, HAYS &
HANDLER

By: 
Irving Gastfreund

Enclosures

cc: As on Certificate of Service
attached to enclosed Comments.

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BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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AUG 11 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. 95-88
Table of Allotments) RM-8641
By Broadcast Stations)
)
(Rose Hill and Trenton, North)
Carolina))

To: Chief, Policy and Rules Division,
Mass Media Bureau
(Allocations Branch)

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SUPPLEMENT TO COMMENTS OF W & B MEDIA, INC.

W & B MEDIA, INC. ("W & B"), licensee of Radio Station WSFL-FM, New Bern, North Carolina, by its attorneys, hereby supplements its Comments in this proceeding, as tendered for filing with the Commission on August 10, 1995.

The purpose of the instant Supplement is to supply the original, executed versions of the Technical Exhibit submitted as Exhibit 1 to W & B's Comments, and of the Declaration of Bruce T. Simel, set forth as Exhibit 2 to those Comments. W & B's Comments, as filed with the Commission on August 10, 1995, contained facsimile copies of the signature pages to those exhibits, and it is therefore respectfully requested that the

enclosed originals of those two exhibits be substituted for the facsimiles presently on file.

Respectfully submitted

W & B MEDIA, INC.

By: 
Irving Gastfreund

Kaye, Scholer, Fierman, Hays & Handler
901 15th Street, N.W., Suite 1100
Washington, D.C. 20005
(202) 682-3526

Its Attorneys

August 11, 1995

Exhibit 1

**TECHNICAL EXHIBIT
SUPPORTING COMMENTS IN
MM DOCKET NO. 95-88
PREPARED FOR
W & B MEDIA, INC.
STATION WSFL-FM
NEW BERN, NORTH CAROLINA**

August 9, 1995

TECHNICAL EXHIBIT
SUPPORTING COMMENTS IN
MM DOCKET NO. 95-88
PREPARED FOR
W & B MEDIA, INC.
STATION WSFL-FM
NEW BERN, NORTH CAROLINA

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- Figure 4 Tabulation of Stations Providing
Service to Rose Hill or Trenton

TECHNICAL EXHIBIT
SUPPORTING COMMENTS IN
MM DOCKET NO. 95-88
PREPARED FOR
W & B MEDIA, INC.
STATION WSFL-FM
NEW BERN, NORTH CAROLINA

Technical Narrative

This technical exhibit has been prepared on behalf of W & B Media, Inc., licensee of FM broadcast station WSFL-FM New Bern, NC in support of comments in the matter of amendment of Section 73.202(b) of the FCC rules, in Rule Making RM-8641, MM Docket No. 95-88. In the rule making it is proposed to change the allotment of channel 284 from Rose Hill to Trenton, North Carolina and to upgrade the channel from Class A to Class C2. The channel is currently employed by Station WBSY Rose Hill.

The proposed 65.3 kilometer (40.6 miles) move by WBSY will bring a new station to Trenton, a very small community of 248 persons, located in an area which has many services available. The 60 dBu service lost by the WBSY move amounts to 33,848 persons in an area or 2,055 square kilometers. Rose Hill will have no local nighttime aural service available, as it will be left with a daytime only AM station. In addition, the use of the proposed upgraded channel provides service to the substantially larger cities, including the Jacksonville, NC Urbanized Area, all of which have numerous local services. Neither Rose Hill nor Trenton are located in urbanized areas.

The attached Figure 1 is a map which shows the 70 dBu and 60 dBu contours for station WBSY Rose Hill, NC. For comparison purposes, the coverage contours for the existing operation are assumed to be maximum Class A facilities, even though WBSY operates with lesser facilities. An allocation study shows that WBSY can operate from its licensed site with effective radiated power of 6 kilowatts and antenna height above average terrain of 100 meters in full compliance with FCC separation requirements.

Using the reference coordinates for channel 284C1 at Trenton, NC and maximum Class C2 facilities (50 KW, 150 M), the predicted 70 dBu and 60 dBu contours have been determined and are shown on Figure 1. Jacksonville, NC with population of 30,013 persons, 121 times the population of Trenton, is located 35.2 kilometers (21.9 miles) from proposed WBSY and will receive a signal intensity in excess of 60 dBu. The WBSY proposal will provide a 70 dBu signal to approximately 30 percent of the Jacksonville, NC Urbanized Area, and a 60 dBu signal to the entire Jacksonville Urbanized Area, which contains 149,838 persons. The Urbanized Area population of Jacksonville is 604 times the population of Trenton. The map, Figure 2, shows the Jacksonville, NC Urbanized Area and coverage by the proposal of WBSY. The urbanized area shown is taken from the 1990 Census of Population and Housing for North Carolina, published by the U.S. Department of Commerce.

Kinston, NC is located 29.3 kilometers (18.2 miles) northwest of the Trenton reference point, and has population of 25,295 persons. Kinston is 102 times the size of Trenton, and will receive a signal greatly in excess of 60 dBu. New Bern, NC with population of 17,363 will receive

greater than 70 dBu from WBSY as proposed. New Bern is 70 times larger than Trenton, and located 29.8 kilometers (18.5 miles) east-northeast of the reference coordinates. Havelock City, NC with population of 20,268 is 82 times larger than Trenton and well within the predicted WBSY 60 dBu contour. It is located 47.3 kilometers (29.4 miles) southeast of Trenton.

Figure 3 compares the operation of WBSY at Rose Hill and Trenton, listing the number of other services available to the cities and to the coverage areas. If WBSY does move to Trenton, from the standpoint of local transmission service, Rose Hill is left with a daytime only AM station, and no nighttime local service. From a reception standpoint, Rose Hill currently has only 2 FM and 3 daytime only AM stations providing the city with a principal community signal (i.e. 70 dBu for FM, 5 mV/m for AM), excluding the WBSY signal. On the other hand, from a reception standpoint, Trenton enjoys the premium principal community signal (i.e. 70 dBu for FM, 5 mV/m for AM) from seven existing FM stations.

The availability of other service is also represented by the number of stations which have transmitter sites located within the predicted 60 dBu contour. Within the WBSY 60 dBu contour there is one FM and 3 AM (one fulltime, two daytime) stations. Within the predicted WBSY Class C2 60 dBu contours at Trenton, there are 14 FM and 11 AM (10 fulltime, one daytime) stations. The move of WBSY from Rose Hill to Trenton is obviously designed to abandon an area with a small number of other aural services to an area of numerous other services.

du Treil, Lundin & Rackley, Inc.

A Subsidiary of A. D. Ring, P.C.

Page 4 of 3
New Bern, North Carolina

The proposal in RM-8641 simply moves WBSY from a community and area which has few aural services to an area which has an abundance of service.



Louis R. du Treil, Sr.
du Treil, Lundin & Rackley, Inc.
240 North Washington Blvd., Suite 700
Sarasota, Florida
(941) 366-2611

August 9, 1995

Figure 2

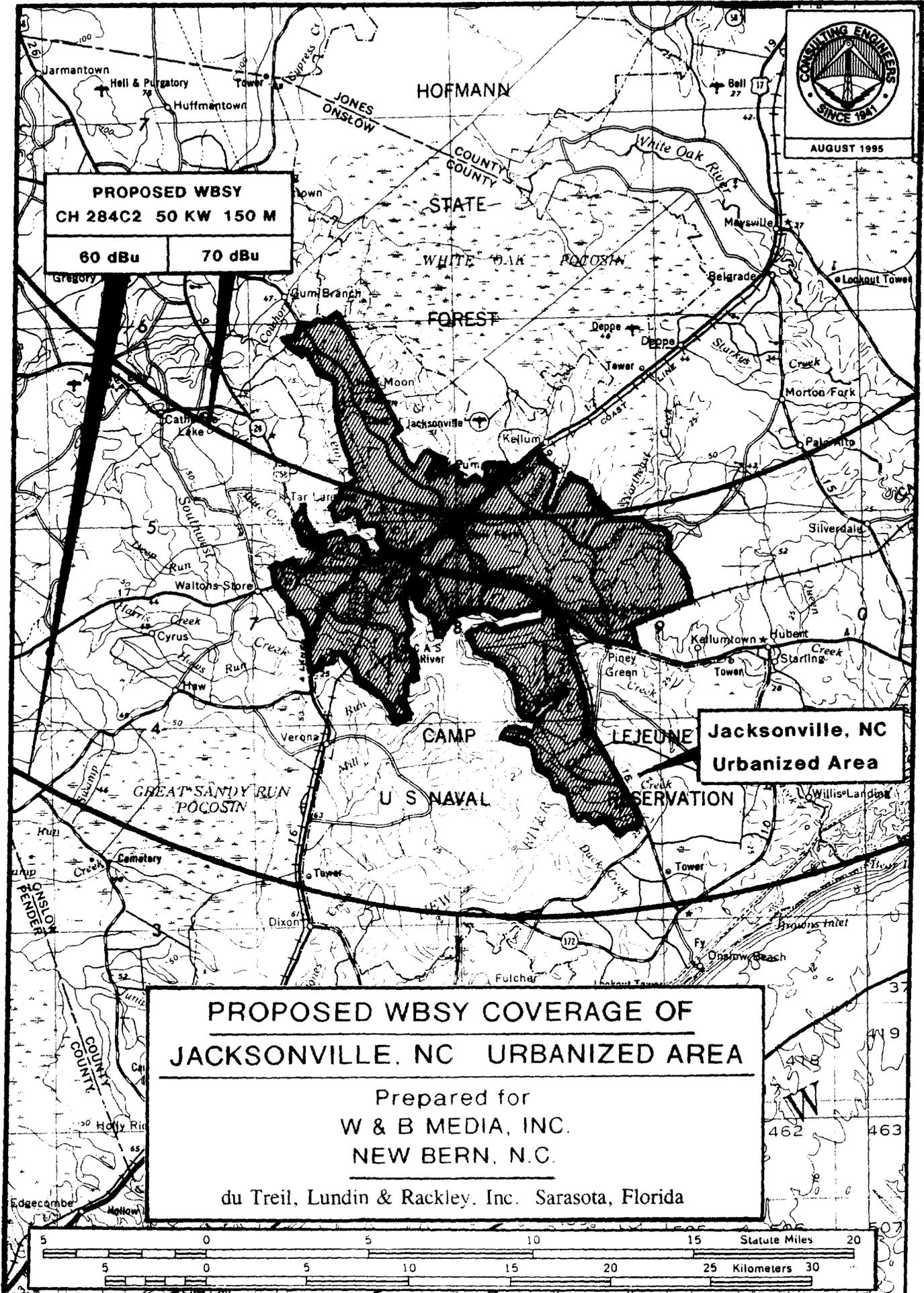
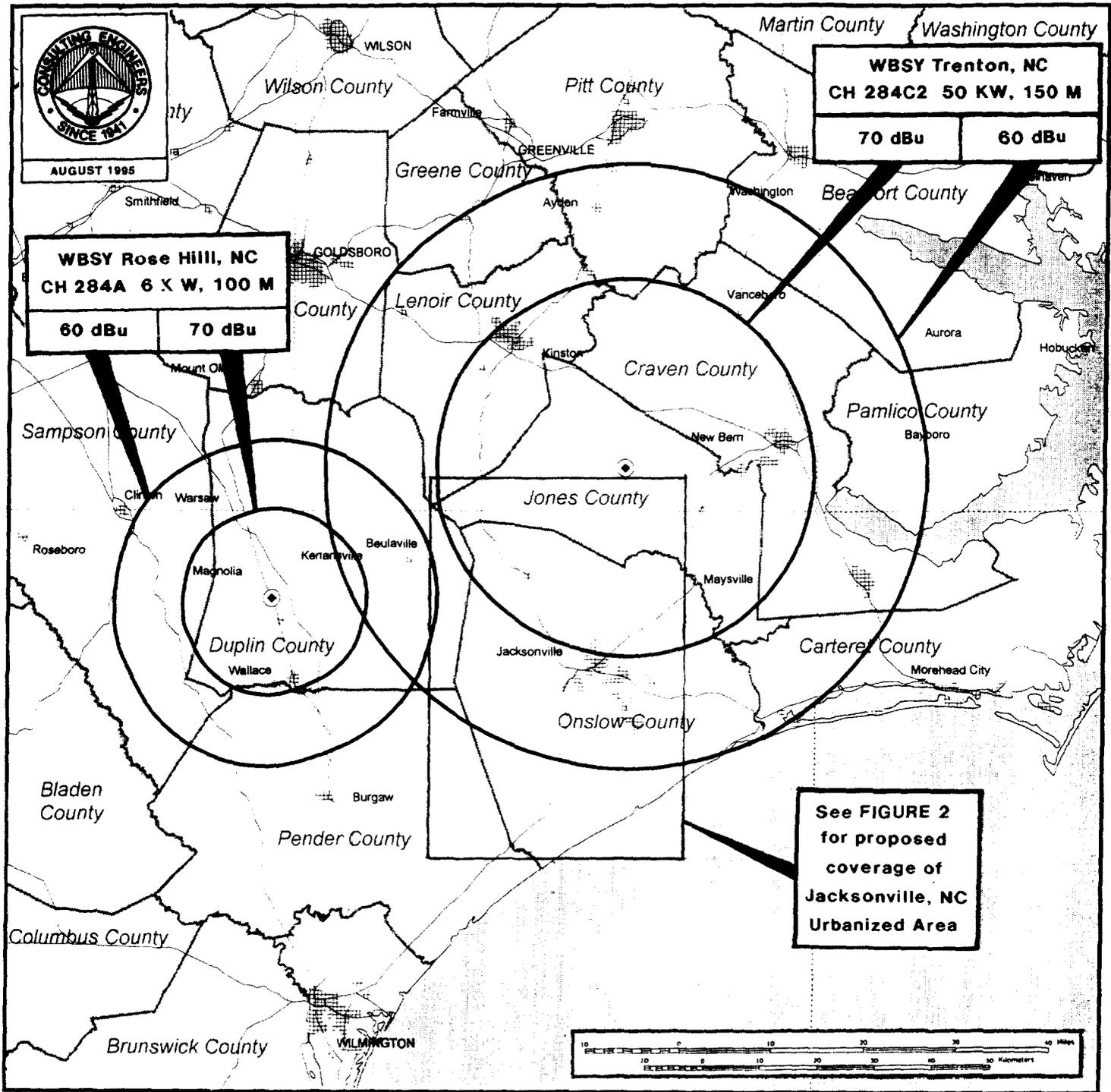


Figure 1



COVERAGE COMPARISON

Prepared for
W & B MEDIA, INC.
NEW BERN, N.C.

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

TECHNICAL EXHIBIT
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MM DOCKET NO. 95-88
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W & B MEDIA, INC.
STATION WSFL-FM
NEW BERN, NORTH CAROLINA

Comparison of Aural Broadcast Services
Available to Rose Hill and Trenton, NC

	<u>Rose Hill</u>	<u>Trenton</u>
1990 Population	1,287	248
County	Duplin	Jones
County Population (1990)	39,995	9,414
Local Aural Service ¹	WEGG (AM) WBSY (FM)	NONE
Predicted 60 dBu Coverage ² :		
Population (1990)	41,307	344,038
Area (sq. km)	2,510	8,555

¹See Figure 4 for station facilities.

²WBSY assumed to employ maximum Class A facilities at Rose Hill and maximum Class C2 facilities at Trenton.

	<u>Rose Hill</u>	<u>Trenton</u>
Number of Stations Having Transmitter Sites Within Proposed 60 dBu Contour:		
FM	1 ³	14 ⁴
AM	3 ³	11 ⁴
Number of Other Principal Community Signal Available ⁵ :		
FM	2 ⁶	7
AM	3 ⁶	0
Coverage of Urbanized Areas:	None	Jacksonville, NC ⁷

³2 Daytime, one fulltime

⁴1 Daytime, 10 fulltime

⁵70 dBu for FM, 5 mV/m for AM

⁶All daytime

⁷See Figure 2

TECHNICAL EXHIBIT
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MM DOCKET NO. 95-88
PREPARED FOR
W & B MEDIA, INC.
STATION WSFL-FM
NEW BERN, NORTH CAROLINA

Tabulation of Stations Providing Service to
Rose Hill and Trenton, North Carolina

A. Local Rose Hill Stations:

WEGG	Rose Hill, NC,	710 kHz,	0.25 kW-D
WBSY	Rose Hill, NC	CH 284A,	2.8 kW, 78 m ¹

B. Stations Located Within Rose Hill 60 dBu Countour:

WZKB	Wallace, NC	CH232A,	3.3 kW, 90 m
WEGG	Rose Hill, NC	710 kHz,	0.25 kW-D
WLSE	Wallace, NC	1400 kHz,	1 kW-U
WTRQ	Warsaw, NC	1560 kHz,	10 kW-D

C. Stations Located Within Trenton 60 dBu Contour:

WSFL-FM	New Bern, NC	CH293C1,	100 kW,	279m
WRNS-FM	Kinston, NC	CH236C,	100 kW	477m
WTND	Grifton, NC	CH258C2,	16.5 kW	257m
WIKS	New Bern, NC	CH270C1,	100 kW,	299m
WZBR	Kinston, NC	CH249A,	3 kW,	76m
WXQR-FM	Jacksonville, NC	CH288A,	3 kW,	91m
WDLX	Washington, NC	CH227C,	100 kW,	543m

¹For study purposes, facilities are assumed to be maximum for a Class A station.

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Figure 4
Sheet 2 of 3

WNCT-FM	Greenville, NC	CH300C,	100 kW,	518m
WQSL	Jacksonville, NC	CH222C2,	35 kW,	72m
WELS-FM	Kinston, NC	CH275A,	3 kW,	90m
WMSQ	Havelock, NC	CH285A,	3 kW,	50m
WKZF	Bayboro, NC	CH250A,	2.75 kW,	104m
WKQT	Newport, NC	CH277C1,	100 kW,	299m
WNBR	Oriental, NC	CH231C3,	11 kW,	148m
WNOS	New Bern, NC	1450 kHz,	1 kW-U	
WLOJ	New Bern, NC	1490 kHz,	1 kW-U	
WLNR	Kinston, NC	1230 kHz,	1 kW-U	
WLAS	Jacksonville, NC	910 kHz,	1/5 kW-LS, DA-N	
WJCV	Jacksonville, NC	1290 kHz,	1 kW-D	
WCOO	New Bern, NC	1380 kHz,	5 kW-D	
WRNS	Kingston, NC	960 kHz,	1/5 kW-LS, DA-N	
WJNC	Jacksonville, NC	1240 kHz,	1 kW-U	
WELS	Kinston, NC	1010 kHz,	1 kW-D	
WEOF	Camp Lejeune, NC	1580 kHz,	10 kW-D	
WCPQ	Havelock, NC	1330 kHz,	1 kW-D	

D. FM Stations Providing 70 dBu Signal to Rose Hill:

WZKB	Wallace, NC	CH232A,	3.3 kW,	90m
WKXB	Burgaw, NC	CH260C1,	100 kW,	158m

E. AM Stations Providing 5 mV/m Signal to Rose Hill:

WEGG	Rose Hill, NC	710 kHz,	0.25 kW-D	
WLSE	Wallace, NC	1400 kHz,	1 kW-D	
WTRQ	Warsaw, NC	1560 kHz,	10 kW-D	

F. FM Stations Providing 70 dBu Signal to Trenton:

WSFL-FM	New Bern, NC	CH293C1,	100 kW,	279m
WRNS-FM	Kinston, NC	CH236C,	100 kW,	457m
WTND	Grifton, NC	CH258C2,	16.5 kW,	257m
WIKS	New Bern, NC	CH270C1,	100 kW,	299m

du Treil, Lundin & Rackley, Inc.

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Figure 4
Sheet 3 of 3

WDLX	Washington, NC	CH227C,	100 kW,	543m
WNCT-FM	Greenville, NC	CH300C,	100 kW,	518m
WKQT	Newport, NC	CH277C1,	100 kW,	299m

G. AM Stations Providing 5 mV/m Signal to Trenton:

NONE

Exhibit 2

DECLARATION

I, Bruce T. Simel, do hereby declare, certify and state as follows:

1. I am General Manager of Radio Station WSFL-FM, New Bern, North Carolina, which is licensed to W & B Media, Inc. I have been General Manager of the station since February 1994. I am also a resident of New Bern, North Carolina, and have lived in that community since February 1994, and I have been involved in a business serving the area since 1987. Based on the foregoing, I am quite familiar with the New Bern-Jacksonville-Kinston-Havelock, North Carolina metropolitan area.

2. Over the past several days, I have conducted extensive research into the population and demographics of Trenton, North Carolina, a community with which I am familiar, since it is located less than 20 miles from New Bern, North Carolina. In conducting this research I have consulted with the City Clerk of Trenton, North Carolina, and with various residents and leaders of that community. Based on that research and those discussions, I have ascertained the following facts:

a. Trenton has a population of only 289 persons. Of those persons, approximately 25 percent of the adult population is retired. Of the 75 percent of the

Trenton adult population that is in the workforce, 50 percent of that remaining population commutes from Trenton to one or more of the communities of Jacksonville, New Bern, Kinston and/or other communities other than Trenton.

b. Trenton does not have its own daily newspaper; however, the community is served by the Jones County Post, which is a weekly newspaper serving the entirety of Jones County, North Carolina (which includes Trenton). Other than the Jones County Post, which may or may not cover news specifically relating to Trenton, Trenton has no newspaper or other media located within Trenton that cover Trenton's local needs and interests. Rather, Trenton's local news and interests are, to the extent necessary, covered by media outside of Trenton, and in neighboring communities, such as Jacksonville, New Bern, Kinston and Havelock.

c. Community leaders and residents of Trenton perceive Trenton as being an integral part of the larger Jacksonville-New Bern-Kinston-Havelock metropolitan area.

d. Trenton has no government or elected officials except for an elected Mayor, an elected Town Board and an appointed Town Clerk.

e. Trenton, North Carolina, does not have its own telephone directory provided by the local telephone company; rather, Trenton telephone listings are incorporated into the local telephone directory for New Bern, North Carolina. Trenton does have a zip code; however, that zip code serves not only mail for Trenton but also mail for other portions of Jones County, North Carolina.

f. Trenton has some limited number of commercial establishments (e.g., one branch of a large bank, a restaurant, an automobile dealer, a convenience store, a game room, a drug store, a hardware store and a tire and feed store, as well as a handful of attorneys and/or accountants, and a hair stylist). However, this represents the extent of commercial establishments within Trenton. Trenton does not have its own health facilities, but, rather, relies on the health facilities provided through the auspices of Jones County, North Carolina. Trenton does not have its own transportation systems; rather, it must rely on

transportation systems serving other nearby communities.

g. Trenton and the communities of Jacksonville, North Carolina; New Bern, North Carolina; Kinston, North Carolina; and Havelock, North Carolina, are part of the same advertising market. In this regard, to the extent that the limited number of commercial establishments in Trenton wish to advertise, they typically utilize advertisements in newspapers published in Jacksonville, New Bern or Kinston, North Carolina, or in the Jones County Post.

h. Trenton, North Carolina, does not have its own municipal police department, fire department, public utilities, or public libraries. Rather, Trenton utilizes the services of the Jones County Sheriff's Department for protection and utilizes a volunteer fire department. All of the public schools in Trenton are under the auspices of Jones County, North Carolina, as is the public library in Trenton.

3. Based on all of the foregoing, it is clear that Trenton, North Carolina is not an independent community, but, rather, is interdependent with the communities of Jacksonville, New Bern,

Kinston and Havelock, North Carolina, and with other communities
in and around Jones County, North Carolina.

I hereby declare, certify and state, under penalty of
perjury, that the foregoing is true and correct to the best of my
knowledge, information and belief.


Bruce T. Simel

Executed on: 8-9-95, 1995.

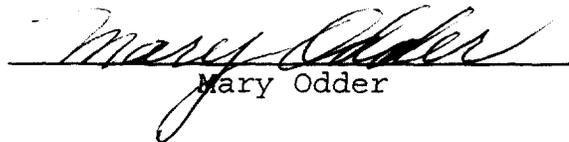
CERTIFICATE OF SERVICE

I, Mary Odder, a secretary with the law firm of Kaye, Scholer, Fierman, Hays & Handler, do hereby certify on this 11th day of August, 1995, caused copies of the foregoing Supplement To Comments of W & B Media, Inc. to be mailed, via first-class U.S. mail, postage prepaid, to the following:

John A. Karousos, Esq.
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Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
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Fifth Floor
Washington, D.C. 20554

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