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November 29, 1995

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BY HAND DELIVERY

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

DOCKET FILE COPY ORIGINAL

Re: KDBX(FM)
Banks, Oregon

Dear Mr. Caton:

Transmitted herewith, on behalf of Common Ground Broadcasting, Inc., licensee of KDBX(FM), Banks, Oregon, are an original and four copies of a Petition for Rulemaking with regard to the above-referenced station.

Should any questions arise concerning this matter, please communicate with this office.

Very truly yours,



Anne Goodwin Crump
Counsel for Carlos J. Colon Ventura

Enclosures

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FEDERAL COMM. COMMISSION
OFFICE OF THE
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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of FM Allotments)
(Banks and Redmond, Oregon))

MM DOCKET NO. _____
RM- _____

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Directed to: Chief, Allocations Branch

PETITION FOR RULEMAKING

Common Ground Broadcasting, Inc., ("Common Ground"), licensee of Station KDBX, Banks, Oregon, by its attorneys, hereby respectfully requests that the Commission's Table of FM Allotments, Section 73.202(b) of the Commission's Rules, be amended to substitute Channel 298C1 for Channel 298C2 at Banks, Oregon, and that the license of KDBX be modified to specify operation on the higher class channel. With respect thereto, the following is stated:

1. Common Ground seeks to upgrade the allotment for Station KDBX, Banks, Oregon, in order to allow it to provide expanded service to the public and to make a more efficient use of the broadcast spectrum as set forth in the attached engineering statement of William J. Getz.

Therefore, Common Ground hereby requests that Channel 298C1 be substituted for Channel 298C2 at Bend. In order to accommodate this upgrade, Common Ground further requests that Channel 269C2 be substituted for Channel 298C2 at Redmond, Oregon, and that the license of Station KLRR be modified to specify operation on the new channel. Thus, the FM Table of

Allotments would be amended as follows:

	<u>Present</u>	<u>Proposed</u>
Banks, Oregon	298C2	298C1
Redmond, Oregon	275C1, 298C2	275C1, 269C2

This arrangement would result in a preferable allotment scheme in that Common Ground would be able to serve a greater number of people and to provide better service to its current listeners. At the same time, Station KLRR would receive an equivalent class channel, and its ability to serve the public would remain unchanged. As set forth in the engineering statement, the proposed allotments would meet all of the Commission's spacing requirements.

2. If the FM Table of Allotments is amended as requested by Common Ground, Common Ground will pay the reasonable expenses associated with the change in frequency for KLRR.

3. Further, upon grant of the requested channel substitution, Common Ground will promptly submit an application for construction permit to implement the upgrade and will construct the upgraded facilities as expeditiously as possible upon grant of that application.

WHEREFORE, the premises considered, Common Ground respectfully requests that the FM Table of Allotments be amended as set forth above.

Respectfully submitted,

COMMON GROUND BROADCASTING, INC.

By: 
James P. Riley
Anne Goodwin Crump

FLETCHER, HEALD & HILDRETH, P.L.C.
1300 N. 17th Street
Eleventh Floor
Rosslyn, Virginia 22209
(703) 812-0400

November 29, 1995

CARL T. JONES
CORPORATION

**STATEMENT OF WILLIAM J. GETZ
IN SUPPORT OF A PETITION TO AMEND
THE FM TABLE OF ALLOTMENTS**

Proponent: Common Ground Broadcasting, Inc.

I am a Graduate Engineer, an employee in the firm of Carl T. Jones Corporation with offices located in Springfield, Virginia. My education and experience are a matter of record with the Federal Communications Commission.

This office has been authorized by Common Ground Broadcasting, Inc. licensee of KDBX(FM), Banks, Oregon, to prepare this statement and the attached Figure in support of a Petition to Amend the FM Table of Allotments, Section 73.202(b) of the FCC Rules, in the following manner:

	<u>Present</u>	<u>Proposed</u>
Banks, Oregon	298C2	298C1
Redmond, Oregon	275C1,298C2	275C1,269C2

The proposed amendment of the Table of Allotments will allow KDBX(FM) to upgrade to a Class C1 facility on its present channel of operation. With the upgraded classification, KDBX(FM) will provide expanded service to the public with more efficient use of the broadcast spectrum. To accommodate the KDBX(FM) channel change the proponent requests that radio station KLRR(FM), Redmond, Oregon, currently licensed to operate on FM Channel 298C2, change its channel of operation to FM Channel 269C2.

**STATEMENT OF WILLIAM J. GETZ
PAGE 2**

For the purpose of this Rulemaking, the reference site coordinates for the Banks, Oregon, upgraded allotment are $45^{\circ} 31' 22''$ N.L. and $122^{\circ} 45' 7''$ W.L. These coordinates describe the licensed KDBX(FM) transmitter site located approximately 30 km east of Banks.

A complete study was performed from the reference coordinates to ensure that a Channel 298C1 allotment at Banks, Oregon, would meet all of the required minimum distance separations with respect to all pertinent licensed facilities, pending applications and proposals. Figure 1, attached, contains the results of the allocation study and demonstrates that the proposed Channel 298C1 allotment at Banks, Oregon, satisfies the minimum distance separations contained in Section 73.207 of the FCC Rules. From the reference site, the city of Banks, Oregon, would be fully encompassed by the upgraded, Class C1, facility's 70 dBu city-grade contour.

Similarly, for the purpose of this Rulemaking, the reference site coordinates for the Redmond, Oregon, allotment are $44^{\circ} 4' 41''$ N.L. and $121^{\circ} 19' 57''$ W.L. These coordinates describe the licensed KLRR(FM) transmitter site located approximately 25 km south-southwest of Redmond.

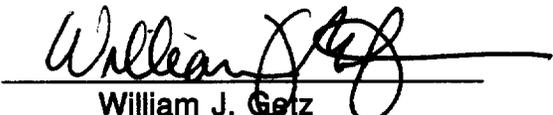
A complete study was performed from the reference coordinates to ensure that a Channel 269C2 allotment at Redmond, Oregon, would meet all of the required minimum distance separations with respect to all pertinent licensed facilities, pending applications and proposals. Figure 2, attached, contains the results of the allocation study and

**STATEMENT OF WILLIAM J. GETZ
PAGE 3**

demonstrates that the proposed Channel 269C2 allotment at Redmond, Oregon, satisfies the minimum distance separations contained in Section 73.207 of the FCC Rules. From the reference site, the city of Redmond, Oregon, would be fully encompassed by the Class C2 facility's 70 dBu city-grade contour.

This statement and the supporting Figures were prepared by me or under my direct supervision and are believed to be true and correct.

DATED: November 21, 1995


William J. Getz

Study Name: KDBX Date: 11/ 2/1995 Time: 10:31 Page: 1
 BANKS , OR Date of Data Base: 9/ 7/95
 ZONE 2
 Channel: 298C1 Section 73.207 Spacings Used
 Latitude: 45 31 22
 Longitude: 122 45 7
 Translators Not Included
 Nearest FOB Station or Quiet Zone: Ferndale, WA 381.97 Km 2.2 Deg.
 Mexican Border: 1511.28 km 159.4 Deg.
 Canadian Border: 305.80 Km 349.2 Deg.

***** WITHIN CANADIAN BORDER ZONE *****

SER	CHAN	CALL	CITY AND STATE	LATITUDE	LONGITUDE	FILE NO	STATUS	ERP	HAAT	BEAR	DIST	REQD	CLEAR
FM 244C2	KCRFFM	Lincoln City	OR 44 52 32	123 59 3	BPH-8903301D	CP		30.000	191	233.7	120.62	27.0	93.62
FM 244A	KCRFFM	Lincoln City	OR 44 52 30	123 59 3	BLH-811112AM	LIC		.610	204	233.7	120.65	22.0	98.65
	G	*To Channel 244C2 per D88-70											
FA 244C2		Lincoln City	OR 44 52 30	123 59 3	-	USED		.000	0	233.7	120.65	27.0	93.65
	R	Effective 1-23-89											
FM 296C1	KSKD	Sweet Home	OR 44 28 59	122 34 55	BLH-920831KD	LIC		9.000	755	173.3	116.32	82.0	34.32
FA 296C3		Castle Rock	WA 46 22 10	122 55 29	-	USED		.000	0	352.0	95.06	76.0	19.06 CLOSE
	I	ACCEPTED BY CANADA AS B1 910403											
FA 296C1		Sweet Home	OR 44 29 2	122 34 55	-	USED		.000	0	173.3	116.23	82.0	34.23
	R	Effective 01-14-91-Reserved for KSKD per D90-334											
FM 296C3	KAZL	Castle Rock	WA 46 20 35	123 5 54	BLH-931029KB	LIC		.740	528	343.8	95.05	76.0	19.05 CLOSE
FA 297C		Yakima	WA 46 38 27	120 23 42	-	USED		.000	0	54.8	220.64	209.0	11.64 CLOSE
	G	Coordinates updated from LIC record BLN870428KC											
FA 297C1		North Bend	OR 43 24 12	124 13 42	-	USED		.000	0	207.0	263.19	177.0	86.19
	R	EFFECTIVE 4-22-88											
FM 297C1	KACW	North Bend	OR 43 12 18	124 18 7	BLM-901026KB	LIC		51.000	211	206.1	285.65	177.0	108.65
FM 297C	KFFM	Yakima	WA 46 38 27	120 23 42	BLH-870428KC	LIC		100.000	457	54.8	220.64	209.0	11.64 CLOSE
	G	SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION											
FA 298C2		Banks	OR 45 31 22	122 45 7	-	USED		.000	0	.0	.00	224.0	-224.00 SHORT
	I	Accepted by Canada 950309											
		73.215 REQUIRED DIST. SEPARATION = 211.0 KM SHORT											
FM 298C2	KLRR	Redmond	OR 44 4 41	121 19 57	BLH-940930KA	LIC		27.500	202	144.6	195.93	224.0	-28.07 SHORT
		73.215 REQUIRED DIST. SEPARATION = 211.0 KM SHORT											
FM 298A	KDBX	Banks	OR 45 39 57	123 0 35	BPH-880128MU	CP		2.000	121	308.5	25.64	200.0	-174.36 SHORT
	G	*To Channel 298C2 per One-Step Application 940930IE-To Channel 298C3 per											
		73.215 REQUIRED DIST. SEPARATION = 178.0 KM SHORT											
FM 298D	KRRC	Portland	OR 45 28 52	122 37 53	BLED-830714BG	LIC		.008	-15	116.2	10.50	.0	10.50 CLOSE
	G	*To channel 281D											
FA 298C2		Redmond	OR 44 4 41	121 19 57	-	USED		.000	0	144.6	195.93	224.0	-28.07 SHORT
	R	Allotment downgraded from Class C1 to Class C2 by Grant of BLH-940930KA on											
		73.215 REQUIRED DIST. SEPARATION = 211.0 KM SHORT											
FM 298C2	KDBX	Banks	OR 45 31 22	122 45 7	BPH-940930IE	CP		6.300	406	.0	.00	224.0	-224.00 SHORT
	G	One-Step Application From Channel 298A											
		73.215 REQUIRED DIST. SEPARATION = 211.0 KM SHORT											
FM 299C	KNDD	Seattle	WA 47 30 14	121 58 29	BPH-9310121L	CP	D*	58.000	714	14.8	228.16	209.0	19.16 CLOSE
FM 299C	KNDD	Seattle	WA 47 32 35	122 6 25	BLH-860521KB	LIC		100.000	364	12.2	229.96	209.0	20.96
	G	SPECIAL NEGOTIATED SHORT-SPACED ALLOTMENT											
FM 299C	KUMAFM	Pendleton	OR 45 35 8	118 34 57	BMPH-9301191D	APP		100.000	332	87.3	325.65	209.0	116.65
	G	*To channel 299C1 per One-Step Application 931208IG											
FA 299C		Seattle	WA 47 32 35	122 6 25	-	USED		.000	0	12.2	229.96	209.0	20.96
	G	Coordinates updated from LIC record BLH860521KB											
FA 300C		Albany	OR 44 38 46	123 16 11	-	USED		.000	0	202.8	105.61	105.0	.61 CLOSE
	G	Coordinates updated from LIC record BLH5427											
FM 300C	KHPE	Albany	OR 44 38 46	123 16 11	BLH-5427	LIC		100.000	354	202.8	105.61	105.0	.61 CLOSE

END OF STUDY

Study Name: KLRR Date: 11/ 2/1995 Time: 10:32 Page: 1
 REDMOND , OR Date of Data Base: 9/ 7/95
 ZONE 2
 Channel: 269C2 Section 73.207 Spacings Used
 Latitude: 44 4 41
 Longitude: 121 19 57
 Translators Not Included
 Nearest FOB Station or Quiet Zone: Ferndale, WA 550.26 Km 350.7 Deg.
 Mexican Border: 1322.89 km 162.5 Deg.
 Canadian Border: 489.59 Km 343.1 Deg.

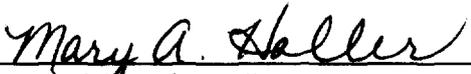
SER	CHAN	CALL	CITY AND STATE	LATITUDE	LONGITUDE	FILE NO	STATUS	ERP	HAAT	BEAR	DIST	REQD	CLEAR
FM	216C1	KMAX	Eugene	OR 44 0 4	123 6 45	BLED-930308KB	LIC	21.500	370	267.2	142.93	27.0	115.93
FA	266C		Portland	OR 45 30 58	122 43 59	-	USED	.000	0	325.8	194.47	105.0	89.47
			G Coordinates updated from LIC record BLH821018AR										
FM	266C	KUFO	Portland	OR 45 30 58	122 43 59	BLH-821018AR	LIC	100.000	500	325.8	194.47	105.0	89.47
FA	266A		Sutherlin	OR 43 23 18	123 19 0	-	USED	.000	0	245.0	177.28	55.0	122.28
FM	268C2	KFLY	Corvallis	OR 44 35 44	123 14 54	BLH-5870	LIC	28.000	30	291.4	163.26	130.0	33.26
FA	268C2		Corvallis	OR 44 35 44	123 14 54	-	USED	.000	0	291.4	163.26	130.0	33.26
			R Allotment downgraded from Class C to C2 by cancellation of BPH-900730IC on										
FM	269C3	KZXR	Prosser	WA 46 11 12	119 45 13	BLH-901119KI	LIC	3.500	265	27.3	265.22	177.0	88.22
FA	269C3		Prosser	WA 46 11 12	119 45 13	-	USED	.000	0	27.3	265.22	177.0	88.22
			I Class B1 with respect to Canada										
FM	270C1	KCMXFM	Ashland	OR 42 17 54	122 44 59	BLH-850723KJ	LIC	32.000	435	210.6	228.84	158.0	70.84
			G *To Channel 270C per D87-321										
FA	270C		Ashland	OR 42 17 54	122 44 59	-	VACANT	.000	0	210.6	228.84	188.0	40.84
			R EFFECTIVE 4-4-88										
FM	270C	KINKFM	Portland	OR 45 31 21	122 44 46	BLH-860923KD	LIC	100.000	510	325.7	195.64	188.0	7.64 CLOSE
FA	270C		Portland	OR 45 31 21	122 44 46	-	USED	.000	0	325.7	195.64	188.0	7.64 CLOSE
			G Coordinates updated from LIC record BLH860923KD										
FM	272C1	KLRF	Brownsville	OR 44 0 8	123 6 50	BPH-9412141A	CP	95.000	301	267.2	143.04	79.0	64.04
FA	272C1		Brownsville	OR 44 26 11	122 59 5	-	USED	.000	0	287.4	137.83	79.0	58.83
			R Effective 3-30-92-Reserved for KGALFM per D90-494										
FM	272C1	KLRF	Brownsville	OR 44 0 8	123 6 50	BLH-940919KA	LIC	100.000	280	267.2	143.04	79.0	64.04

END OF STUDY

CERTIFICATE OF SERVICE

I, Mary A. Haller, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that true copies of the foregoing "Petition for Rulemaking" were sent this 29th day of November, 1995, by first-class United States mail, postage prepaid, to the following:

J. Dominic Monahan, Esquire
Luvaas, Cobb, Richards & Fraser, P.C.
777 High Street
Suite 300
Eugene, OR 97401
Counsel for KLRR



Mary A. Haller