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JAN 11 1996

January 11, 1996 FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

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

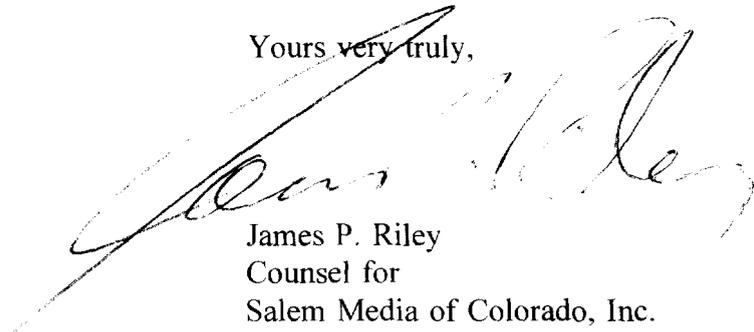
RE: Amendment of Section 73.202(b) of the Commission's Rules  
FM Table of Allotments to Reallot Channel 234C  
From Boulder, CO to Lafayette, CO

Dear Mr. Caton:

Transmitted herewith on behalf of Salem Media of Colorado, Inc. is an original and four copies of its Petition for Rulemaking in the above-referenced matter.

Should any questions arise concerning this submission, please contact the undersigned.

Yours very truly,



James P. Riley  
Counsel for  
Salem Media of Colorado, Inc.

JPR/bll

Enclosures

cc: Mr. John A. Karousos, FCC (w/enc.)

Oct 4

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BEFORE THE

Federal Communications Commission

JAN 11 1996

WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

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In the Matter of	)	
Amendment of Section 73.202(b)	)	MM Docket No. ___
of the Commission's Rules,	)	RM _____
FM Table of Allotments	)	
to Reallot Channel 234C from	)	
Boulder, CO to Lafayette, CO	)	

To: Chief, Allocations Branch

**PETITION FOR RULEMAKING**

Salem Media of Colorado, Inc. ("Salem"), licensee of KRKS-FM, Boulder, Colorado, by its attorneys and pursuant to Section 1.420(i) of the Commission's rules, hereby requests that the Commission institute a rulemaking proceeding to reallot Channel 234C from Boulder to Lafayette, Colorado and modify KRKS-FM's license to specify Lafayette as its community of license. Salem proposes to amend Section 73.202(b) of the Commission's Rules, FM Table of Allotments as follows:

	<u>Channel No.</u>	
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Boulder, Colorado	234C, 247C	247C
Lafayette, Colorado	---	234C

No change in any other existing allotment is requested. Reallotment of Channel 234C to Lafayette, which is mutually exclusive with the present allotment of the channel to Boulder, would serve the public interest by providing Lafayette with a well-deserved first local aural transmission service.

In examining the merits of a change of community of license proposal, the

Commission determines whether the proposal would result in a preferential arrangement of allotments. *See Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon.* 5 FCC Rcd 7094 (1990). In making this determination, the Commission applies the allotment priorities set forth in *Revision of FM Assignment Policies and Procedures*, 90 FCC2d 88 (1982). Those priorities are (1) first aural service, (2) second aural service, (3) first local service, and (4) other public interest matters.

Reallotment of Channel 234C to Lafayette is favored under priority (3), as it will provide a first local aural transmission service to Lafayette, while Boulder will retain four local aural transmission services.<sup>1</sup> Lafayette is well-deserving of a first local service as it is an incorporated city of 14,548 persons.<sup>2</sup> While Boulder is in the Boulder Urbanized Area, Lafayette is not within any urbanized area as defined by the U.S. Census.<sup>3</sup>

Reallotment of Channel 234C to Lafayette and modification of KRKS-FM's license to specify Lafayette as KRKS's community of license will enable Salem to provide reception service to 117,109 persons in an area of 13,206 square kilometers not now receiving the KRKS-FM signal. *See* Engineering Statement of James D. Sadler, attached hereto ("Engineering Statement"). This new area of reception service results from the fact that the

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<sup>1</sup>Boulder, which has a population of 83,312 (1990 U.S. Census), will continue to have four local transmission services: an FM station (KBCO-FM), a noncommercial educational FM station (KGNU(FM)), and two AM stations, KBCO(AM) - full-time with reduced nighttime power and KBKS(AM) - full-time, off-the-air since April 14, 1995 pursuant to special temporary authority; an application for assignment of license is pending and the buyer intends to immediately return the station to the air after assignment. In addition, Boulder is provided with over 30 AM and FM reception services. *See* Engineering Statement at Exhibit 4.

<sup>2</sup>1990 U.S. Census. Lafayette's population has grown rapidly from 3,498 in 1970 to 8,985 in 1980 to 14,548 in 1990.

<sup>3</sup>*Id.*

reallotment will permit KRKS-FM to relocate its transmitter to a site on Squaw Mountain near Blue Valley, Colorado (coordinates 39-40-35 N, 105-29-09 W). *Id.* KRKS-FM cannot transmit from Squaw Mountain and fully comply with Section 73.315 with Boulder as its city of license, but can comply with Section 73.315 with Lafayette as its city of license while transmitting from either Squaw Mountain or from the present KRKS-FM transmitter site.<sup>4</sup>

As demonstrated in the Engineering Statement, the allotment of Channel 234C to Lafayette, Colorado can be accomplished in compliance with all minimum mileage separation requirements.

If the requested reallotment is made, Salem will promptly file an application for authority to modify the KRKS-FM facility in accordance with the reallotment, and upon receipt of that authority will promptly make the authorized modification.

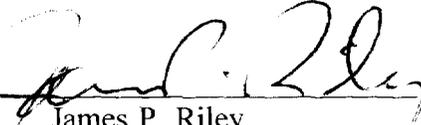
WHEREFORE, for the foregoing reasons, Salem media of Colorado, Inc. requests that the Commission initiate a rulemaking proceeding to amend Section 73.202(b) of its rules to reallot Channel 234 from Boulder to Lafayette, Colorado and modify KRKS-FM's license to specify Lafayette as its community of license.

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<sup>4</sup>The fact that KRKS will no longer comply with Section 73.315 with respect to Boulder, Colorado, if it relocates its transmitter-antenna site to Squaw Mountain, is not inconsistent with the Commission granting a change of community of license. *See In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lamesa and Tahoka, Texas)*, DA 95-2075, Released October 10, 1995; *See also In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Headland, Alabama and Chattahoochee, Florida)*, DA 95-1938, Released September 19, 1995.

Respectfully submitted,

SALEM MEDIA OF COLORADO, INC.

By: 

James P. Riley  
Ann Bavender

Its Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.  
1300 N. 17th Street, 11th Floor  
Rosslyn, VA 22209  
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January 11, 1996

bll/jprleadings/salem.pfr

**CARL T. JONES**  
**CORPORATION**

**TECHNICAL STATEMENT OF JAMES D. SADLER  
IN SUPPORT OF A PETITION FOR RULEMAKING  
REQUESTING AMENDMENT OF SECTION 73.202(b)  
OF THE COMMISSION RULES AND REGULATIONS**

Proponent: Salem Media of Colorado, Inc.

I am a Technical Consultant, 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 Salem Media of Colorado, Inc., licensee of FM broadcast Station KRKS-FM, Boulder, Colorado, to prepare this statement and associated exhibits in support of a Petition to the Federal Communications Commission for amendment of the Commission Rules and Regulations. The proponent requests amendment of Section 73.202(b) of the Rules (FM Table of Allotments) in the following manner:

	<u>Present</u>	<u>Proposed</u>
Boulder, CO	234C, 247C	247C
Lafayette, CO	- - -	234C

The proposed new allotment at Lafayette, Colorado, is mutually exclusive with the licensed authorization of Station KRKS-FM, operating under the current allotment in

TECHNICAL STATEMENT OF JAMES D. SADLER  
PAGE 2

Boulder, and will allow KRKS-FM to modify its operation and license as dictated in Section 1.420(i) of the Rules.

The community of Lafayette, Colorado, presently, does not have a local aural service licensed there. The reallocation of KRKS-FM to that community will provide it with its first aural service. The community of Boulder, Colorado, will maintain three aural services. The following list shows stations, besides KRKS-FM, which are presently licensed there:

<u>Call Sign</u>	<u>Broadcast Service</u>	<u>Channel or Frequency</u>	<u>Status</u>
KBCO-FM	FM	247C	Lic.
KBCO	AM	1190 kHz	Lic.
KBKS	AM	1490 kHz	Lic.

A new transmitter site atop Squaw Mountain has been selected for Station KRKS-FM and the proponent specifies this location as the reference site for the Lafayette Channel 234C allotment. The site, which is located approximately 45 kilometers south-southwest of the present site, fully complies with the minimum separation requirements of Section 73.207(b) with respect to all existing and proposed stations and allotments. The geographic coordinates of the reference site are as follows:

39° 40' 35" North Latitude  
105° 29' 09" West Longitude.

TECHNICAL STATEMENT OF JAMES D. SADLER  
PAGE 3

A map showing the fully spaced site is included herein as Exhibit 1. Because KRKS-FM cannot fully comply with the requirements of Section 73.315 with respect to Boulder from this new site, it is proposed to change the community of license from Boulder, Colorado, to Lafayette, Colorado. As demonstrated on the map in Exhibit 2, the proposed 70 dBu contour is predicted to cover all of Lafayette. The Lafayette city limits were obtained from the 1990 U.S. Census maps.

DENVER URBANIZED AREA

From the existing licensed site, the predicted KRKS-FM 70 dBu coverage contour covers all but a small portion of the Denver urbanized area as defined in the 1990 U.S. Census. The existing 70 dBu coverage contour with respect to its coverage of the Denver urbanized area is shown on Exhibit 3. The entire Denver urbanized area is predicted to fall within the proposed 70 dBu contour.

EXISTING SERVICE TO BOULDER

Presently, there are 15 full-service commercial FM stations that are predicted to provide 1 mV/m or greater service to all of Boulder. There are 17 AM Broadcast stations that are predicted to provide a minimum signal strength of 2 mV/m during daytime hours to all of Boulder. Six additional AM stations provide 2 mV/m coverage to less than the entire area of Boulder. Exhibit 4 is a tabulation of the existing stations that are predicted to provide service to Boulder.

The service contours of the existing FM stations were calculated employing terrain data obtained from the NGDC 30-second computer database. In conjunction with the F(50,50) curves of Section 73.333 (Figure 1) of the Rules, the authorized antenna radiation center height above mean sea level and the effective radiated power were used on 72 radials evenly spaced at 5 degree increments to determine the distances to the 1 mV/m service contours.

Service contours for the existing AM Broadcast stations were calculated at 5 degree intervals employing conductivity data from FCC Figure M-3, the Commission's conductivity map. The 2 mV/m contour was employed as the area of interest is all urban.

#### COVERAGE COMPARISON

A comparison of the 1 mV/m coverage contours with respect to the licensed KRKS-FM operation versus that of the proposed operation is included as Exhibit 5. The existing 1 mV/m contour provides service to 1,897,606 persons and covers 10,535 square kilometers. The proposed operation is predicted to cover an area of 23,741 square kilometers containing 2,014,715 persons. The proposed change in city of license will result in an increase in service to an area of 13,206 square kilometers and an increase in population served of 117,109 persons.

With the exception of a small strip of land to the northeast, the proposed 1 mV/m contour entirely compasses the existing KRKS-FM 1 mV/m coverage contour. This small strip of land is within the predicted coverage area of greater than five full-time aural

TECHNICAL STATEMENT OF JAMES D. SADLER  
PAGE 5

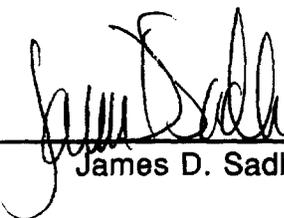
services. Five of the main stations that are predicted to provide service to the KRKS-FM 1 mV/m loss area are listed on Exhibit 6. Therefore, all but a relatively insignificant portion of the KRKS-FM 1 mV/m service area will continue to be within the predicted KRKS-FM 1 mV/m contour following the reallocation of KRKS-FM to Lafayette, Colorado.

SUMMARY

It is submitted that this proposed amendment to Section 73.202(b) complies with all technical criteria of the Commission's Rules and Regulations.

The above statement and associated exhibits were prepared by me or under my direct supervision and are believed to be true and correct.

DATED: November 2, 1995

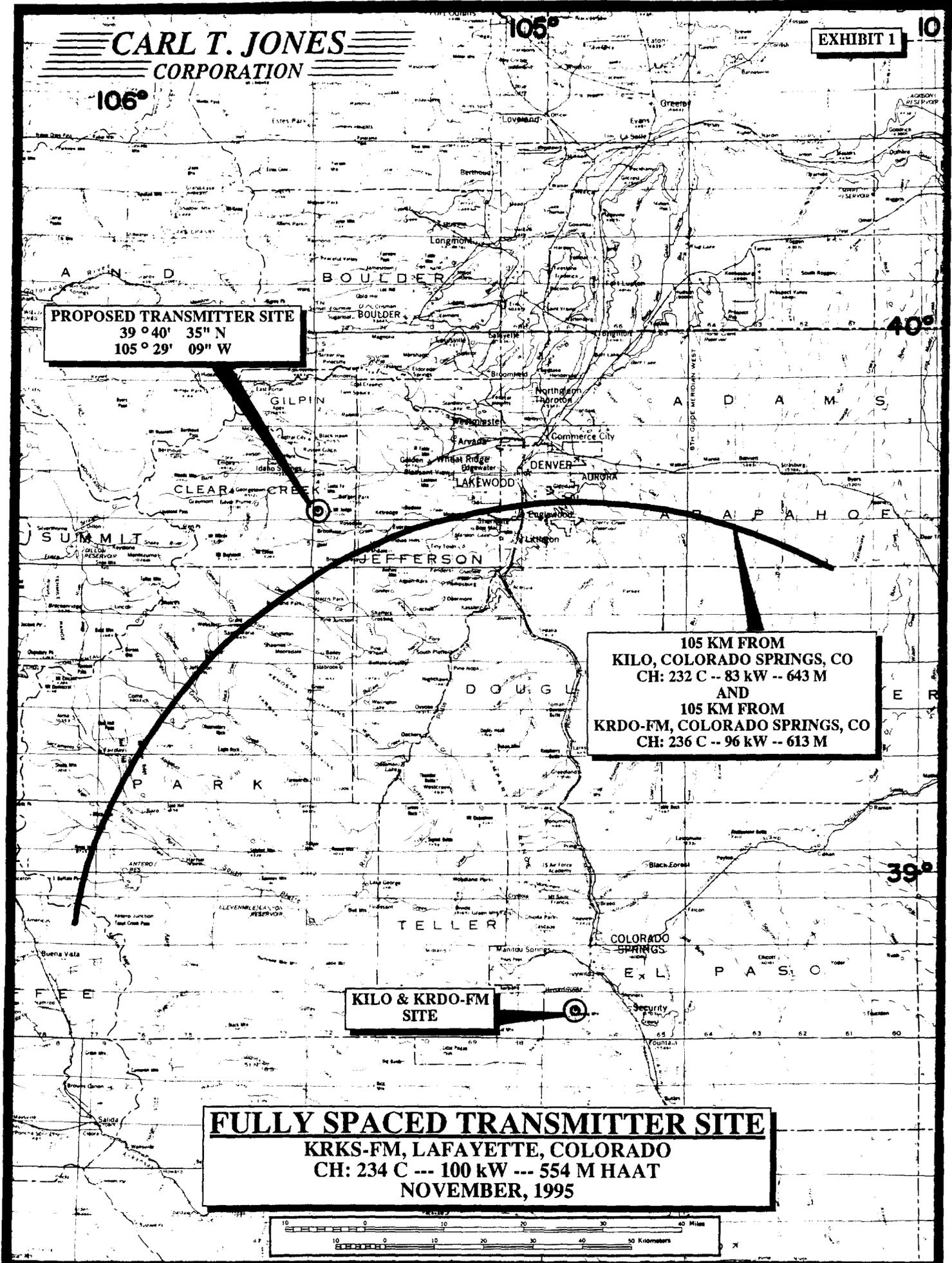
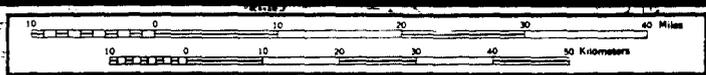
  
James D. Sadler

**PROPOSED TRANSMITTER SITE**  
39° 40' 35" N  
105° 29' 09" W

**105 KM FROM**  
**KILO, COLORADO SPRINGS, CO**  
CH: 232 C -- 83 kW -- 643 M  
**AND**  
**105 KM FROM**  
**KRDO-FM, COLORADO SPRINGS, CO**  
CH: 236 C -- 96 kW -- 613 M

**KILO & KRDO-FM SITE**

**FULLY SPACED TRANSMITTER SITE**  
**KRKS-FM, LAFAYETTE, COLORADO**  
CH: 234 C --- 100 kW --- 554 M HAAT  
**NOVEMBER, 1995**



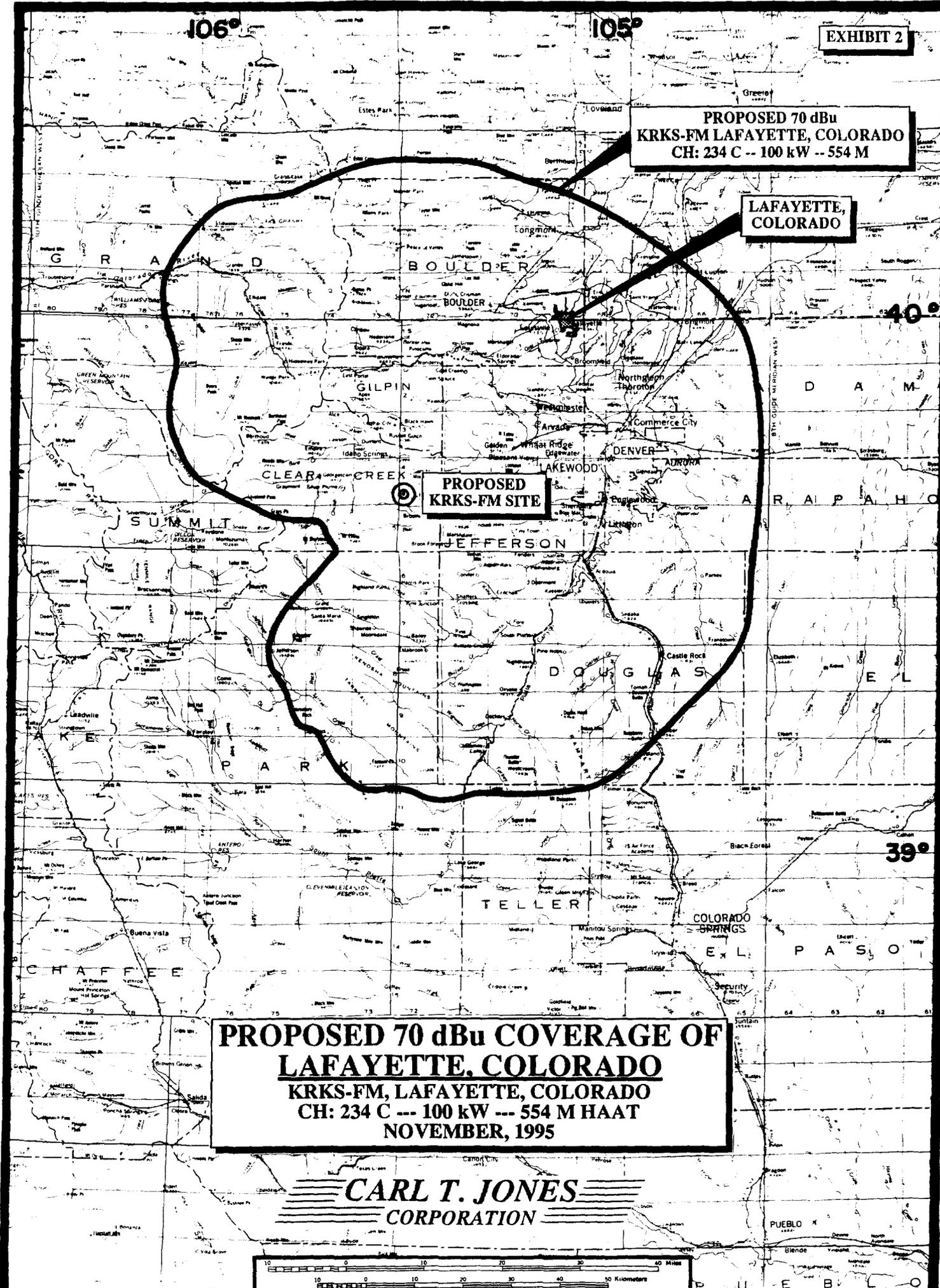
PROPOSED 70 dBu  
KRKS-FM LAFAYETTE, COLORADO  
CH: 234 C -- 100 kW -- 554 M

LAFAYETTE,  
COLORADO

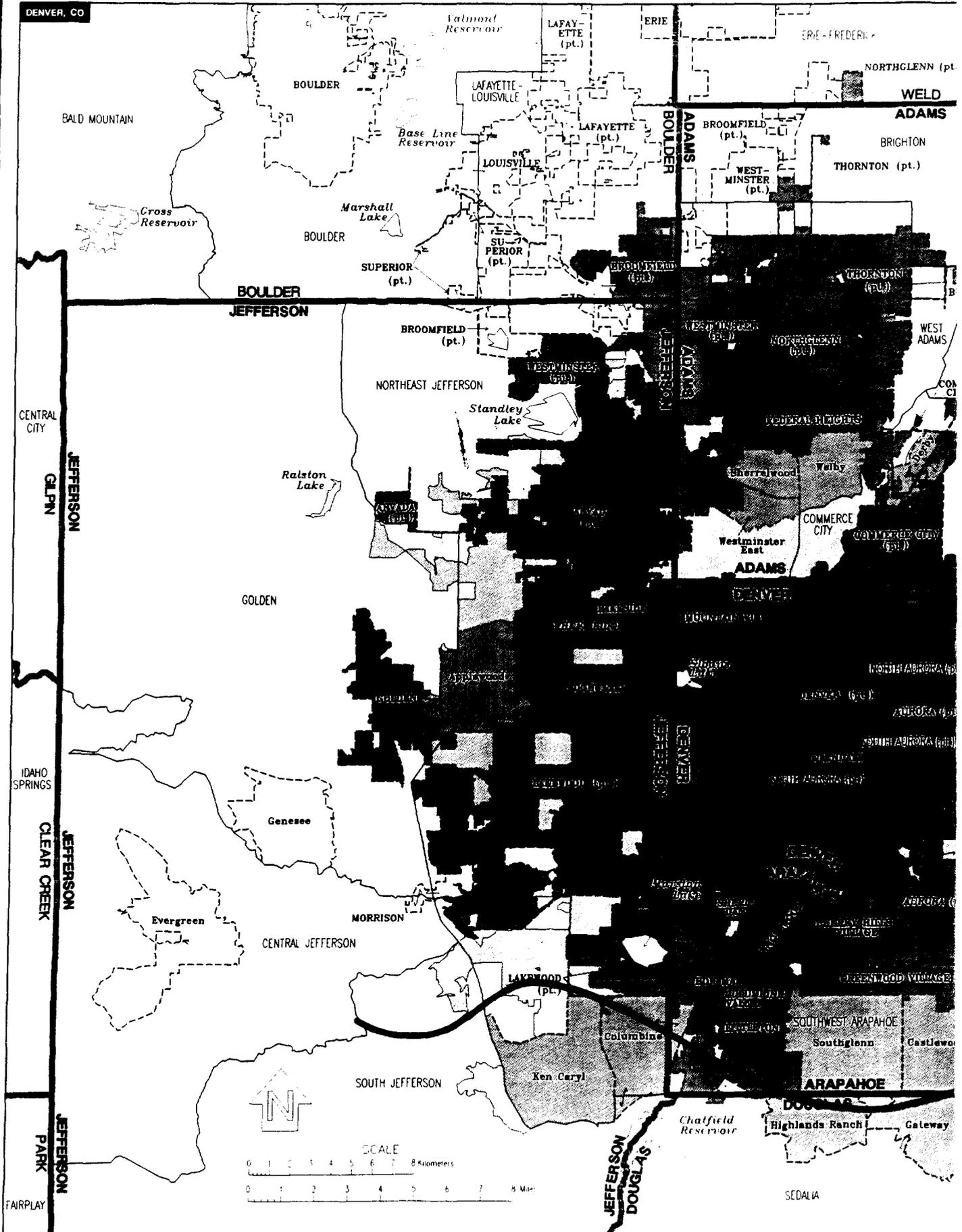
PROPOSED  
KRKS-FM SITE

PROPOSED 70 dBu COVERAGE OF  
LAFAYETTE, COLORADO  
KRKS-FM, LAFAYETTE, COLORADO  
CH: 234 C --- 100 kW --- 554 M HAAT  
NOVEMBER, 1995

**CARL T. JONES**  
CORPORATION



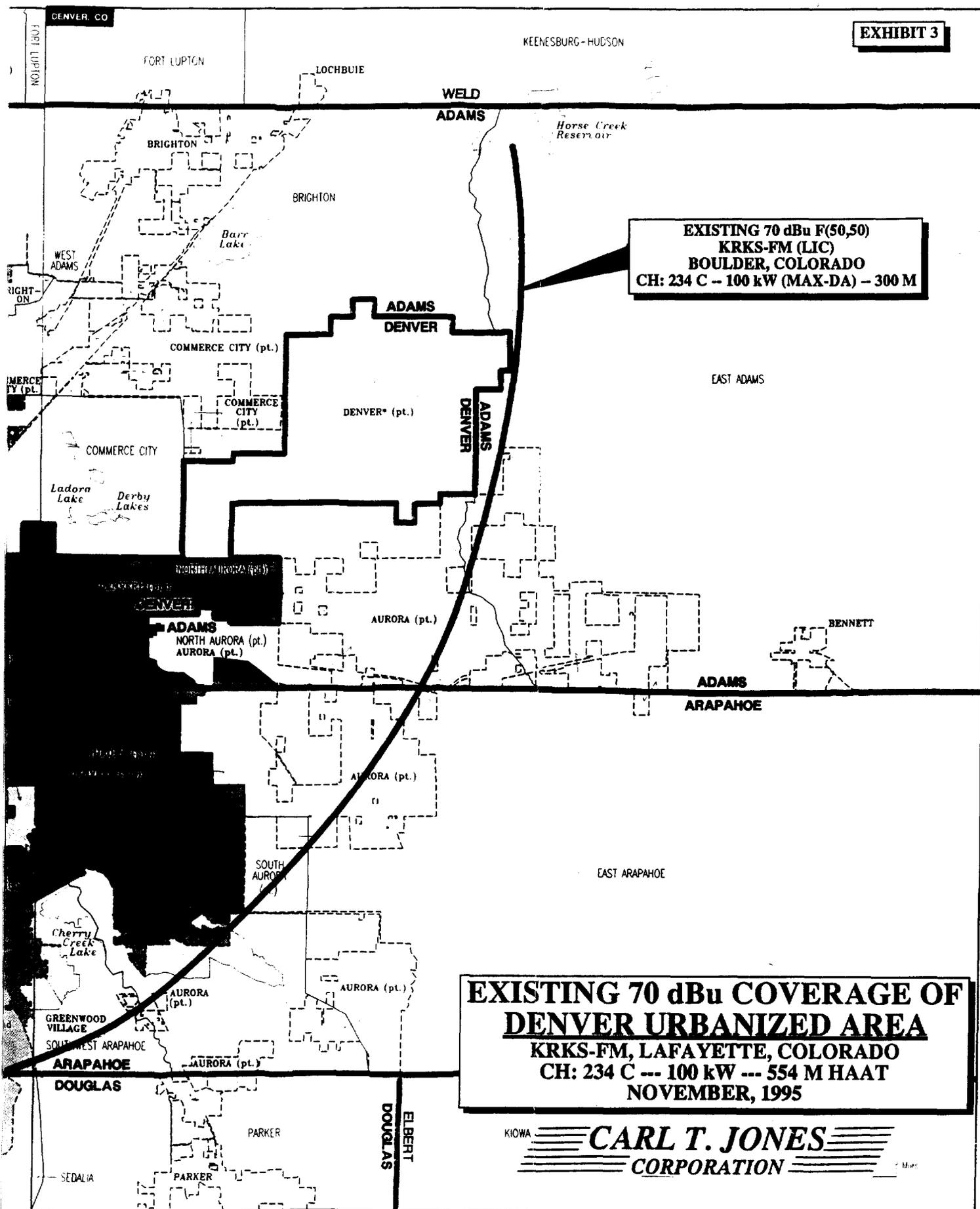
Urbanized Areas



U.S. DEPARTMENT OF COMMERCE Economics and Statistics Administration Bureau of the Census

Urbanized Areas

EXHIBIT 3



TABULATION OF EXISTING STATIONS PREDICTED  
TO PROVIDE SERVICE TO BOULDER, COLORADO

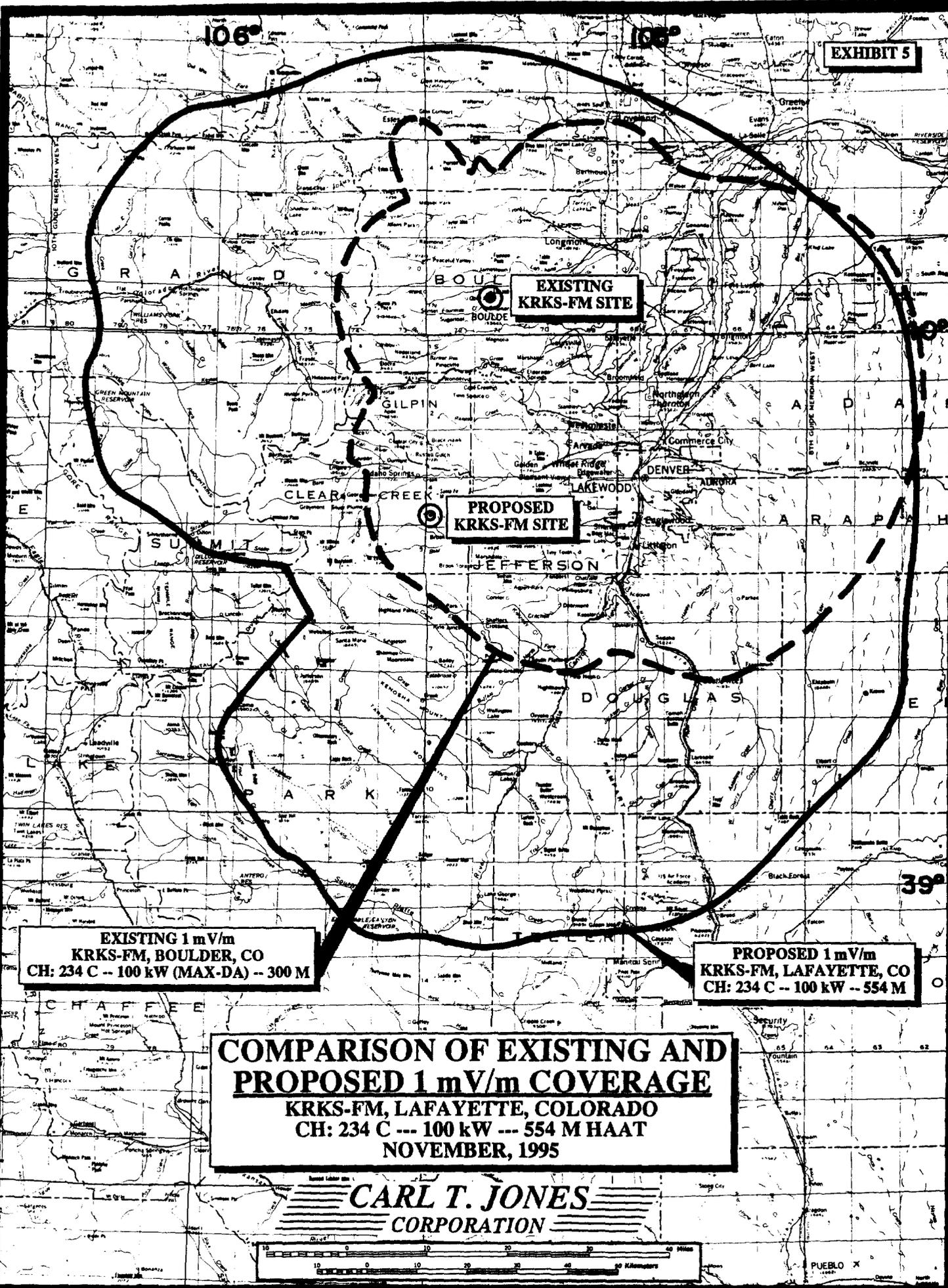
<u>Call Sign</u>	<u>Status</u>	<u>City, State</u>	<u>Facilities</u>
KZDG	LIC	Greeley, CO	CH 223C1, 57 kW(MAX-DA), 337 M
KTCL	CP	Fort Collins, CO	CH 227C, 100 kW(MAX-DA), 344 M
KHIH	LIC	Denver, CO	CH 239C, 100 kW(MAX-DA), 490 M
KXPK	CP	Evergreen, CO	CH 243C, 100 kW, 530 M
KBCO-FM	LIC	Boulder, CO	CH 247C, 88 kW(MAX-DA), 470 M
KYGO-FM	LIC	Denver, CO	CH 253C, 100 kW, 555 M
KVOD	CP	Denver, CO	CH 258C, 100 kW, 555 M
KIMN-FM	LIC	Denver, CO	CH 262C, 97 kW(MAX-DA), 351 M
KOSI	LIC	Denver, CO	CH 266C, 100 kW(MAX-DA), 495 M
KRFX	LIC	Denver, CO	CH 278C, 100 kW, 320 M
KQKS	CP	Longmont, CO	CH 282C1, 58 kW(MAX-DA), 367 M
KXKL-FM	LIC	Denver, CO	CH 286C, 100 kW, 356 M
KALC	LIC	Denver, CO	CH 290C, 99 kW(MAX-DA), 448 M
KBPI	LIC	Denver, CO	CH 294C, 100 kW, 301 M
KWMX-FM	LIC	Lakewood, CO	CH 298C, 91 kW, 365 M
KLZ	LIC	Denver, CO	560 kHz, 5 kW, U, DA-1
KIIX <sup>1</sup>	LIC	Denver, CO	600 kHz, 0.5 kW, 5 kW-LS, U, DA-2
KHOW	LIC	Denver, CO	630 kHz, 5 kW, U, DA-2
KMVP	CP	Commerce, CO	670 kHz, 1.4 kW, 50 kW-LS, U, DA-2
KTLK	LIC	Thornton, CO	760 kHz, 1 kW, 50 kW-LS, U, DA-2
KLTT	LIC	Brighton, CO	800 kHz, 1 kW, DA-D
KOA	LIC	Denver, CO	850 kHz, 50 kW, U
KPOF	LIC	Denver, CO	910 kHz, 1 kW, 5 kW-LS, U
KRKY <sup>1</sup>	LIC	Granby, CO	930 kHz, 4.5 kW, ND-D
KKFN	LIC	Denver, CO	950 kHz, 5 kW, U
KRKS	LIC	Denver, CO	990 kHz, 0.39 kW, 5 kW-LS, U, DA-N
KLMO	LIC	Longmont, CO	1060 kHz, 10 kW, ND-D
KYBG	LIC	Aurora, CO	1090 kHz, 0.5 kW, 50 kW-LS, U, DA-2
KCUV	LIC	Englewood, CO	1150 kHz, 1 kW, 5 kW-LS, DA-2
KBCO	LIC	Boulder, CO	1190 kHz, 5 kW, ND-D
KBNO <sup>1</sup>	LIC	Denver, CO	1220 kHz, 0.66 kW, ND-D
KXKL	LIC	Denver, CO	1280 kHz, 5 kW, U, DA-2
KKYD <sup>1</sup>	LIC	Denver, CO	1340 kHz, 1 kW, U
KJME <sup>1</sup>	LIC	Denver, CO	1390 kHz, 5 kW, ND-D

TABULATION OF EXISTING STATIONS PREDICTED  
TO PROVIDE SERVICE TO BOULDER, COLORADO

<u>Call Sign</u>	<u>Status</u>	<u>City, State</u>	<u>Facilities</u>
KEZW <sup>1</sup>	LIC	Aurora, CO	1430 kHz, 5 kW, U, DA-N
KBKS	LIC	Boulder, CO	1490 kHz, 1 kW, U
KQXI	LIC	Arvada, CO	1550 kHz, 10 kW, ND-D
KYGO	LIC	Lakewood, CO	1600 kHz, 5 kW, U, DA-N

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<sup>1</sup> Coverage to less than 100% of Boulder.

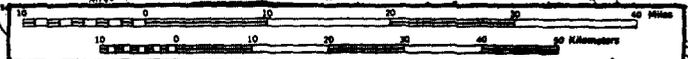


**EXISTING 1 mV/m  
KRKS-FM, BOULDER, CO  
CH: 234 C -- 100 kW (MAX-DA) -- 300 M**

**PROPOSED 1 mV/m  
KRKS-FM, LAFAYETTE, CO  
CH: 234 C -- 100 kW -- 554 M**

**COMPARISON OF EXISTING AND  
PROPOSED 1 mV/m COVERAGE  
KRKS-FM, LAFAYETTE, COLORADO  
CH: 234 C --- 100 kW --- 554 MHAAT  
NOVEMBER, 1995**

**CARL T. JONES  
CORPORATION**



PUEBLO

STATIONS PREDICTED TO PROVIDE SERVICE TO  
KRKS-FM 1 MV/M LOSS AREA

<u>Call Sign</u>	<u>Status</u>	<u>City, State</u>	<u>Facilities</u>
KZDG	LIC	Greeley, CO	CH 223C1, 57 kW(MAX-DA), 337 M
KTCL	CP	Fort Collins, CO	CH 227C, 100 kW(MAX-DA), 344 M
KBCO-FM	LIC	Boulder, CO	CH 247C, 88 kW(MAX-DA), 470 M
KQKS	CP	Longmont, CO	CH 282C1, 58 kW(MAX-DA), 367 M
KSIR-FM	CP	Brush, CO	CH 296C1, 100 kW, 265 M

Note: This is only a portion of the many stations that are predicted to provide coverage to the loss area.