

VINCENT A. PEPPER  
ROBERT F. CORAZZINI  
PETER GUTMANN  
JOHN F. GARZIGLIA  
NEAL J. FRIEDMAN  
ELLEN S. MANDELL  
HOWARD J. BARR  
MICHAEL J. LEHMKUHL \*  
SUZANNE C. SPINK \*  
RONALD G. LONDON \*  
\* NOT ADMITTED IN D.C.

PEPPER & CORAZZINI  
L. L. P.  
ATTORNEYS AT LAW  
1776 K STREET, NORTHWEST, SUITE 200  
WASHINGTON, D. C. 20006  
(202) 296-0600

GREGG P. SKALL  
E. THEODORE MALLYCK  
OF COUNSEL  
FREDERICK W. FORD  
1909-1986  
TELECOPIER (202) 296-5572  
INTERNET PEPCOR@COMMLAW.COM  
WEB SITE HTTP://WWW.COMMLAW.COM

September 5, 1996

RECEIVED

DOCKET FILE COPY ORIGINAL

SEP 5 - 1996

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

**Re: Amendment of Section 73.202(b) FM Table of  
Allotments (Martin and Tiptonville, Tennessee)**

Dear Mr. Caton:

Transmitted herewith on behalf of Thunderbolt Broadcasting Co., the licensee of WCMT-FM, Martin, Tennessee, is an original and four copies of a petition seeking the institution of a rule making proceeding to substitute Channel 267C3 for Channel 269A at Martin, Tennessee and to modify the license of WCMT-FM, Martin, Tennessee to specify Channel 267C3. This petition is respectfully directed to the Chief, Allocations Branch.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,



John F. Garziglia

Enclosure

024  
MMB

RECEIVED

SEP 5 1996

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

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.202(b) ) RM \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(Martin and Tiptonville, Tennessee) )

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

Thunderbolt Broadcasting Co., the licensee of WCMT-FM, Martin, Tennessee, by its attorneys, pursuant to Section 1.401 of the Commission's rules, hereby seeks the institution of a rule making proceeding looking toward the substitution of Channel 267C3 for Channel 269A at Martin, Tennessee, and the modification of the license of WCMT-FM, Martin, Tennessee to specify operation on Channel 267C3.<sup>1/</sup> To accommodate this upgrade, the deletion of the vacant Channel 267C3 at Tiptonville, Tennessee is requested.

Attached is a channel study showing full spacings for the proposed substitution of Channel 267C3 for Channel 269A at Martin, Tennessee. It is proposed that the FM Table of Allotments be amended as follows:

---

<sup>1/</sup> Channel 267C3 may be allotted to Martin, Tennessee at the reference coordinates of 36° 26' 09" North Latitude, 88° 57' 30" West Longitude, a site 14 kilometers (8.8 miles) northwest of the center of Martin, Tennessee.

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Martin, Tennessee	269A	267C3
Tiptonville, Tennessee	267C3	---

Channel 267C3 may be deleted from Tiptonville as that channel is presently vacant and there are no pending applications for the channel. The channel was previously occupied by a construction permit for WAAT(FM). By letter dated July 31, 1996, a petition for reconsideration filed by the permittee of WAAT(FM) was denied, resulting in a cancellation of the construction permit and the deletion of the call sign. Notice of such cancellation and deletion was given on August 6, 1996 by Public Notice Report No. 23796. By letter dated August 22, 1996, the former permittee of WAAT(FM) notified the Commission that it would not further pursue any appeals with respect to the cancelled WAAT(FM) construction permit.

It is well settled that the upgrade of an existing station is in the public interest. Thunderbolt Broadcasting Co. hereby states its intention to apply for Channel 267C3 when allotted, and when authorized, to build the upgraded facility promptly.

WHEREFORE, for the reasons above, a rule making proceeding should be commenced looking toward the substitution of Channel 267C3 for Channel 269A at Martin, Tennessee, and the modifica-

tion of the license of WCMT-FM, Martin, Tennessee to specify operation on Channel 267C3.

Respectfully submitted,

**THUNDERBOLT BROADCASTING CO.**

By:   
\_\_\_\_\_  
John F. Garziglia  
Its Attorney

Pepper & Corazzini, L.L.P.  
1776 K Street, N.W.  
Suite 200  
Washington, D.C. 20006  
(202) 296-0600

September 5, 1996

PEPPER & CORAZZINI L.L.P.  
 Washington D.C. 20006

Channel 267C3 Substituted for Channel 269A at Martin, TN  
 Vacant Channel 267C3 at Tiptonville, TN Deleted

REFERENCE		CLASS C3	DISPLAY DATES
36 26 09 N			DATA 06-28-96
88 57 30 W		Current rules spacings	SEARCH 09-05-96
----- CHANNEL 267 -101.3 MHz -----			

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN	
WAAT.A	267C3	Tiptonville	TN	247.2	35.36	153.0	-117.64	*
WAAT.C	267C3	Tiptonville	TN	252.8	40.39	153.0	-112.61	*
WCMTFM	269A	Martin	TN	129.8	12.73	42.0	-29.27	*
WTWL	268A	Mckinnon	TN	91.5	88.83	89.0	-0.17	*
WNWSFM	268A	Jackson	TN	169.0	88.87	89.0	-0.13	*
WCILFM	268B	Carbondale	IL	349.6	145.54	145.0	0.54	<
KGMO	264C	Cape Girardeau	MO	334.1	115.67	96.0	19.67	
AD267	267A	Ramer	TN	169.8	167.46	142.0	25.46	
ALOPEN	265C3	Huntingdon	TN	127.2	70.63	43.0	27.63	
WVHR	265A	Huntingdon	TN	140.3	69.81	42.0	27.81	
KJMS	266C1	Memphis	TN	215.6	177.25	144.0	33.25	
WKNQ	214C1	Dyersburg	TN	231.9	60.35	24.0	36.35	
AD267	267A	Rienzi	MS	168.0	189.25	142.0	47.25	

CERTIFICATE OF SERVICE

I, Tracey S. Westbrook, a secretary in the law firm of Pepper & Corazzini, L.L.P., do hereby certify that true copies of the foregoing "Petition for Rule Making" were sent this 5th day of September, 1996 by hand delivery, to the following:

Mr. John A. Karousos  
Chief, Allocations Branch  
Mass Media Bureau  
Federal Communications Commission  
2000 M Street, N.W.  
Fifth Floor  
Washington, D.C. 20554

James Crutchfield  
Audio Services Division  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W.  
Room 332  
Washington, D.C. 20554

  
\_\_\_\_\_  
Tracey S. Westbrook