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* NOT ADMITTED IN D.C.

March 13, 1997

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

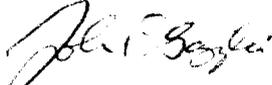
Re: Amendment of Section 73.202(b)
FM Table of Allotments (Fredonia, Kentucky)
(MM Docket No. 97-66; RM-8997)

Dear Mr. Caton:

Transmitted herewith on behalf of JoeMyers Productions, Inc. is an original and four copies of supplemental comments supporting the allotment of FM Channel 221A to Fredonia, Kentucky. These supplemental comments are respectfully directed to the Chief, Allocations Branch.

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

Sincerely,


John F. Garziglia

Enclosure

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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 Allotments)
FM Broadcast Stations)
(Fredonia, Kentucky))

MM Docket No. 97-66
RM-8997

To: Chief, Allocations Branch

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SUPPLEMENTAL COMMENTS

JoeMyers Productions, Inc., by its attorneys, pursuant to Notice of Proposed Rule Making, MM Docket No. 97-66, DA 97-298, released February 14, 1997, hereby submits its supplemental comments in support of the allotment of FM Channel 221A to Fredonia, Kentucky, as the community's first local aural transmission service. JoeMyers Productions, Inc. incorporates by reference its December 26, 1996 Petition for Rule Making and its February 19, 1997 comments into these supplemental comments.

Fredonia, Kentucky is a "community" for allotment purposes, in accordance with the Commission's policy. The requirement of an allocation to a community is generally satisfied if the community is either incorporated or listed in the U.S. Census. See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88, 100 (1982); Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Cleveland and Ebenezer, Mississippi), 10 FCC Rcd 8807 (1995). In addition to being listed in the 1990 U.S. Census (population 470), Fredonia, Kentucky is also an incorporated city with its own mayor and city council. See Revision of FM Assignment Policies and Procedures,

90 FCC 2d 88 (1982) (it is sufficient that the community is incorporated for allotment purposes); Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Asbury, Iowa), 5 FCC Rcd 5712 (1990) (public interest would be served by allotting to a community that is incorporated and self-governing). Further, Fredonia, Kentucky has its own volunteer fire department and its own post office, the Fredonia Post Office. The community also boasts two medical clinics, a pharmacy, a farm supply store, a bank, a furniture store, a lumber yard, a convenience store, and several specialty shops. Many of these businesses serving Fredonia, Kentucky contain the name of "Fredonia" in its business name (e.g., Fredonia Valley Bank, Fredonia Car Wash, Fredonia Food & More). See Amendment of Section 73.606(b), Table of Allotments, TV Broadcast Stations (Kenansville, Florida), 10 FCC Rcd 9831 (1995) (existence of a number of organizations incorporating the community's name indicative of community status).

JoeMyers Productions, Inc. restates its present intent to apply for the channel if allotted, and if authorized, to build a facility promptly.

Respectfully submitted,

JOEMYERS PRODUCTIONS, INC.

By: 
John F. Garziglia
Its Attorney

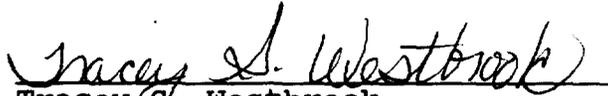
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March 13, 1997

CERTIFICATE OF SERVICE

I, Tracey S. Westbrook, a secretary in the law firm of Pepper & Corazzini, L.L.P., do hereby certify that a true copy of the foregoing "Supplemental Comments" was sent this 13th day of March, 1997, by hand delivery, to the following:

Ms. Sharon P. McDonald
Allocations Branch
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W.
Fifth Floor
Washington, D.C. 20554


Tracey S. Westbrook