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Before the
Federal Communications Commission
Washington, D.C. 20554

APR 1 1997
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|---------------------------------|---|---------------------|
| In the Matter of |) | |
| |) | |
| Amendment of Section 73.202(b), |) | MM Docket No. 94-78 |
| Table of Allotments, |) | RM-8472 |
| FM Broadcast Stations. |) | RM-8525 |
| (Cloverdale, Montgomery |) | |
| and Warrior Alabama) |) | |

TO: The Full Commission

SUPPLEMENT TO REPLY TO OPPOSITION TO APPLICATION FOR REVIEW

William P. Rogers ("Rogers"), by his attorney, hereby respectfully supplements his "Reply to Opposition to Application for Review", as follows:¹

1. In their Opposition, North Jefferson Broadcasting Company, Inc. ("North Jefferson"), and Deep South Broadcasting Company ("Deep South"), pointed out correctly that in denying the Florence allotment the FCC staff remarked that Rogers had improperly used terrain enhancement in computing the coverage of the city of Florence.

¹Because this supplement is being filed within the time period for filing replies to oppositions to the Application for Review, and because Rogers could, therefore, withdraw his reply and replace it with another one, this supplement is not unauthorized.

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2. Attached hereto and marked Exhibit A is a copy of the engineering statement prepared by Keith Blanton and submitted with Rogers' original counterproposal. As Mr. Blanton shows, he computed the city coverage "using the three second terrain data base of the Defense Mapping Industry and the Computer Software Program CVR/VER110 of EDX Engineering, Inc.". On information and belief, this is the same method of computing coverage which is used by the FCC, itself, except that the FCC uses a thirty second terrain data base, whereas Mr. Blanton used a three second terrain data base (which is more accurate than the thirty second data base). There is nothing in Mr. Blanton's report to indicate that he used "terrain enhancement". The staff simply erred when it assumed that he did.

Respectfully submitted,

WILLIAM P. ROGERS

April 17, 1997

Law Office of
LAUREN A. COLBY
10 E. Fourth Street
P.O. Box 113
Frederick, MD 21705-0113

By:

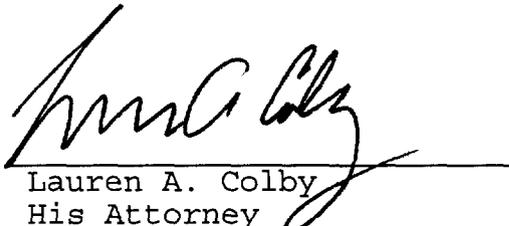

Lauren A. Colby
His Attorney

EXHIBIT A

ENGINEERING STATEMENT OF KEITH G. BLANTON OF THE FIRM OF
KESSLER AND GEHMAN ASSOCIATES, CONSULTING ENGINEERS
ON BEHALF OF WILLIAM P. ROGERS
IN CONNECTION WITH A PETITION FOR RULE MAKING
TO ALLOCATE FM CHANNEL 254A TO THE COMMUNITY OF
FLORENCE, ALABAMA

I, Keith G. Blanton, am an associate of Kessler and Gehman Associates, Inc., with offices in Gainesville, Florida. I have been working in the field of radio and television consulting engineering since 1961. I graduated from Duke University in 1951 with a Bachelor of Science degree in Physics.

This firm has been employed by William P. Rogers to make engineering studies and to prepare this engineering statement in support of a petition for rule making to add FM channel 254A (98.7 MHz) to the community of Florence, Alabama in the FM Table of Allotments, Section 73.202, of the FCC Rules. Florence is a city of 36,426 persons in 15,910 housing units in Lauderdale County in northwest Alabama. Florence presently has channels 241A and 297C allocated to it and both channels are presently used by the licensed stations WXFL and WQLT.

It has been determined that there is an area in the vicinity of Florence in which a channel 254A station might be operated in accordance with the rules of the FCC. The attached Figure 1 is a tabulation of the nearest cochannel and adjacent channel stations and allocations. The map Figure 2 shows the area in which a channel 254A station might be located and the reference site location together with the 70 dBu contour location with respect to Florence.

The reference coordinates used in making the studies were those indicated in the Notice of Proposed Rule Making for RM8472 Docket 94-78 released July 13, 1994, specifically N. Lat. 34° 56' 19" W. Long. 87° 46' 17". The 70 dBu contour was projected on the Gadsden, AL USGS Topographic Map for a maximum Class A facility of 6.0 kW at 100 meters AAT using the three second terrain data base of the Defense Mapping Industry and the Computer Software Program CVR/VER110 of EDX Engineering, Inc. The city limits of Florence were transferred to this map from a Rand McNally Street Map of Florence, Alabama Rev 1986. The area within the city limits were

determined to be 56.8 km² with 6.8 km² being outside of the 70 dBu contour by using a polar planimeter on the original USGS topographic map. The population of Florence obtained from 1990 census data was 36,426 persons. The population of Florence within the 70 dBu contour was determined by a computer program by adding the population of all the census enumeration districts whose centroid fell within the contour to be 31,954 persons. From this data the percentage of the area of Florence within the 70 dBu contour was determined to be $50.0 / 56.8 = 88.0\%$ and the percentage of the population of Florence within the 70 dBu contour was determined to be $31,954 / 36,426 = 87.7\%$.

William P. Rogers has the intention of filing an application for construction permit to build a station in this area which would operate on channel 254A if that channel were allocated to Florence.

KESSLER AND GEHMAN ASSOCIATES, INC.

Keith G. Blanton

Keith G. Blanton, Consultant

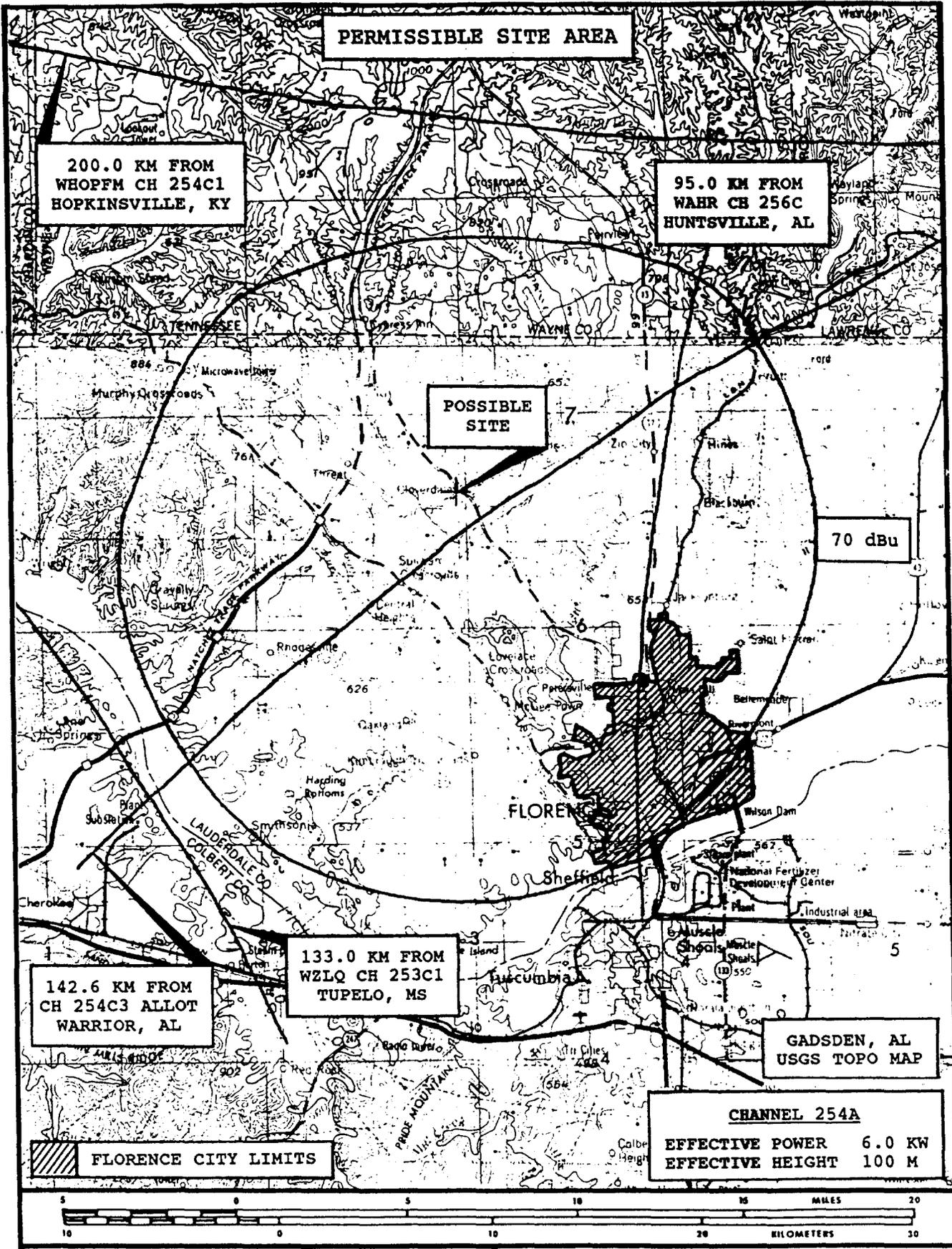
August 23, 1994

WILLIAM P. ROGERS
FLORENCE, ALABAMA

TABLE OF SEPARATIONS FROM CO-CHANNEL AND ADJACENT CHANNEL ALLOCATIONS

| <u>Frequency</u> | <u>Channel</u> | <u>Class</u> | <u>Location</u> | <u>Separation-kM</u> | | <u>Authorized</u> | <u>Pending</u> |
|------------------|----------------|--------------|------------------|----------------------|---------------|-------------------|---------------------|
| | | | | <u>Minimum</u> | <u>Actual</u> | <u>Stations</u> | <u>Applications</u> |
| 88.1 MHz | 201 | A | Jackson, TN | 10.0 | 127.2 | NEW | BPED-930528MD |
| 98.1 Mhz | 251 | C1 | Fayette, AL | 75.0 | 179.1 | WTXT | BLH-900119KA |
| 98.3 MHz | 252 | A | Pulaski, TN | 31.0 | 66.2 | WINJ | BPH-930610IC |
| 98.5 MHz | 253 | C1 | Tupelo, MS | 133.0 | 153.2 | WZLQ | BPH-930812IB |
| 98.7 MHz | 254 | C1 | Hopkinsville, KY | 200.0 | 216.9 | WHOP-FM | BLH-790727AG |
| 98.7 MHz | 254 | C3 | Warrior, AL | 142.0 | 143.5 | - | Docket 93-277 |
| 98.7 MHz | 254 | A | Cloverdale, AL | * | 000.0 | - | Docket 94-78 |
| 98.9 MHz | 255 | C3 | Brooksville, MS | 89.0 | 181.8 | - | Docket 90-455 |
| 99.1 MHz | 256 | C | Huntsville, AL | 95.0 | 104.6 | WAHR | BLH-891219KC |
| 99.3 MHz | 257 | A | Booneville, MS | 31.0 | 80.8 | WBIP-FM | BLH-911125KA |

* This proposal is intended to replace the allocation for Cloverdale, AL



PERMISSIBLE SITE AREA

200.0 KM FROM
WHOPFM CH 254C1
HOPKINSVILLE, KY

95.0 KM FROM
WAHR CH 256C
HUNTSVILLE, AL

POSSIBLE SITE

70 dBu

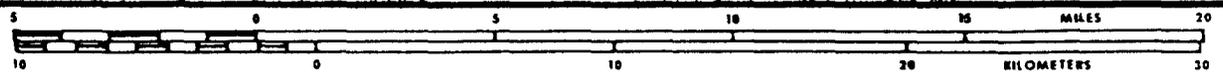
142.6 KM FROM
CH 254C3 ALLOT
WARRIOR, AL

133.0 KM FROM
WZLQ CH 253C1
TUPELO, MS

GADSDEN, AL
USGS TOPO MAP

FLORENCE CITY LIMITS

CHANNEL 254A
EFFECTIVE POWER 6.0 KW
EFFECTIVE HEIGHT 100 M



KESSLER AND GEHMAN ASSOCIATES, INC.
TELECOMMUNICATIONS CONSULTING ENGINEERS
507 N W 60TH STREET SUITE C
GAINESVILLE, FLORIDA 32607

WILLIAM P. ROGERS
FLORENCE, ALABAMA
940823
FIGURE 2

CERTIFICATE OF SERVICE

I, Traci Maust, a secretary in the law office of Lauren A. Colby, do hereby certify that copies of the foregoing have been sent via first class, U.S. mail, postage prepaid, this 17th day of April, 1997, to the offices of the following:

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Pulaski Broadcasting, Inc.
P.O. Box 738
Pulaski, TN 38478

Kirk A. Tollett
Commsouth Media Associates
4001 Highway 78 East
Jasper, AL 35501

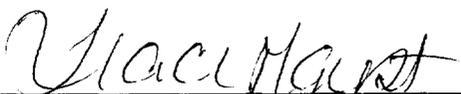
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