

Original

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

RECEIVED

JUL 28 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments, FM Broadcast)
Stations, Milledgeville, Georgia and)
Covington, Georgia and Modification of)
of License of Station WLRR)

MM Docket No. ____-____

RM _____

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

Preston W. Small (Licensee of Station WLRR(FM)), by his attorneys, pursuant to §1.420(i), of the Rules, hereby petitions the Commission to institute a rule making proceeding to amend §73.202(b) to relocate and upgrade channel 264A at Milledgeville, Georgia to channel 264C3 at Covington, Georgia.¹ After the reallocation the table of allotments would be as follows:

	<u>Present</u>	<u>Proposed</u>
Milledgeville, GA	264A, 272A	272A
Covington, GA	-----	264C3

¹ On December 23, 1997 Scotts Trail Radio, Inc., as the proposed assignee of Station WLRR(FM) (File No. BALH-961223GI), filed a Petition for Rule Making which proposed the channel reallocation proposed instantly. It is Mr. Small's belief that Scotts Trail Radio, Inc.'s Petition for Rule Making remains pending, but that it has not yet appeared on public notice. As of July 15, 1997, by mutual written agreement, Mr. Small (Assignor) and Scotts Trail Radio, Inc. determined that the assignment of Station WLRR(FM) to Scotts Trail Radio, Inc. would not occur. To the extent that Scotts Trail Radio, Inc.'s Petition for Rule Making remains pending, the instant filing should be construed as comments in support of the proposed reallocation of channel 264A at Milledgeville to Covington on channel 264C3 and serves as notice that Mr. Small is now the proponent of the requested rule change.

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In support whereof, the following is respectfully submitted:

1) Mr. Small is the licensee of Station WLRR(FM) authorized to operate at Milledgeville, GA on Channel 264A.² Milledgeville is currently served by FM stations WKZR and WXGC (non-commercial) and by AM stations WKGQ and WMVG. Station WGFS(AM) is licensed to Covington. The upgrade and relocation to Covington are supported by many factors.

2) First, while Covington has an AM station which is apparently authorized to operate 24 hours a day (WGFS(AM)), that station regularly signs off at 8:05 PM. Thus, Mr. Small's Covington proposal would, in reality, provide Covington with its first local, full-time service. In any event, the AM station's nighttime operating power is significantly reduced power (250 watts) and does not serve the entire Newton County area during that time. Mr. Small's proposed Covington station would serve the entire Newton County area 24 hours a day.³

3) Second, allocating Channel 264C3 to Covington would provide Covington with its first local FM service. In fact, an allocation of Channel 264C3 to Covington would provide Newton County with its first FM station.

4) Third, relocation of an upgraded Station WLRR to Covington would provide Covington with its second local service. As noted above, Milledgeville currently has five operating radio stations. Reallocating channel 264 from Milledgeville to Covington would thus provide a competing voice in Covington while not depriving Milledgeville of necessary diversity.

² Because Mr. Small's instant Covington proposal is mutually exclusive with Mr. Small's current authorization for Channel 264A at Milledgeville, no competing expressions of interest for the facility are permitted. §1.420(g)(3); §1.420(i).

³ Milledgeville has 17,727 persons and Covington has 10,026 persons according to the 1990 Census.

5) Fourth, Mr. Small agrees with Scotts Trail Radio, Inc.'s assessment that Station WLRR(FM) currently provides 1 mV/m service to 49,918 persons. The engineering attached hereto shows that the upgraded and relocated 1 mV/m signal would provide service to 180,387 persons.⁴ Thus, the instant proposal would result in a net 200+% gain in potential listeners.

6) Fifth, Station WLRR(FM)'s currently authorized 1 mV/m service area is approximately 1,800 square kilometers. Station WLRR(FM)'s upgraded, relocated 1 mV/m service contour would cover approximately 4,800 square miles, a very significant increase in area served amounting to approximately of 166%.

7) As demonstrated in the attached engineering statement, and as demonstrated in Scotts Trail Radio, Inc.'s Petition for Rule Making, the requested upgrade and reallocation of Station WLRR complies with the Commission's separation requirements.⁵

WHEREFORE, in view of the information presented herein, Mr. Small respectfully submits that the following modifications to the FM Table of Allotments would serve the public interest:

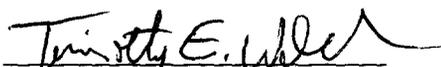
⁴ Scotts Trail Radio, Inc.'s Petition for Rule Making shows that the upgraded and relocated 1 mV/m signal would cover 169,909 persons. In view of the significant increase either number represents over the 49,918 currently receiving service, the fact that the population counts differ slight is of no decisional significance.

⁵ The Commission's June 27, 1997 Memorandum Opinion and Order (DA 97-1334), dismissed Sapphire Broadcasting, Inc.'s Application for Review filed in MM Docket No. 89-585. While as a technical matter Sapphire Broadcasting, Inc.'s proposal was initially dismissed several years ago and was not entitled to protection in a rule making request from that moment forward, the recent reaffirmation of the earlier denial should remove whatever remaining lingering doubt there might have been concerning interference protection to be afforded to Sapphire Broadcasting, Inc.'s proposal.

	Present	Proposed
Milledgeville, GA	264A, 272A	272A
Covington, GA	-----	264C3

Mr. Small further requests that his license for Station WLRR(FM) be modified to specify operation on the higher class channel at Covington.

Respectfully submitted,


Timothy E. Welch

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(202) 775-9026 (FAX)
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July 28, 1997

SECTION V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY	
File No.	_____
SSB Referral Date	_____
Referred By	_____

Name of Applicant **PRESTON W. SMALL dba SMALL BROADCASTING**

Call Letters (if issued) WLRR-FM	Is this application being filed in response to a window? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If Yes, specify closing date: _____

Purpose of Application: (check appropriate boxes)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility | <input type="checkbox"/> Construct a new auxiliary facility |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input checked="" type="checkbox"/> Modify licensed main facility | <input type="checkbox"/> Modify licensed auxiliary facility |

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- | | |
|--|--|
| <input checked="" type="checkbox"/> Antenna supporting structure height | <input checked="" type="checkbox"/> Effective radiated power |
| <input checked="" type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency |
| <input checked="" type="checkbox"/> Antenna location | <input checked="" type="checkbox"/> Class |
| <input checked="" type="checkbox"/> Main Studio location | <input type="checkbox"/> One-Step processing |
| <input type="checkbox"/> Directional Antenna | <input type="checkbox"/> Other(summarize) |

File Number(s) BLH-900913 KB

Allocation:				Class (check only one box below)			
Channel No. 264	Principal community to be served:			<input type="checkbox"/> A	<input type="checkbox"/> B1	<input type="checkbox"/> B	<input checked="" type="checkbox"/> C3
	County Newton	City or Town Covington	State GA	<input type="checkbox"/> C2	<input type="checkbox"/> C1	<input type="checkbox"/> C	

Exact location of antenna.

- (a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. **0.26 mi North of Spiers Rd, 0.5 mi west of Highway 11**
- (b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude and East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed. (The Commission requires coordinates based on NAD 27.)

Latitude	33 ° 28 ' 34 "	Longitude	83 ° 45 ' 34 "
----------	----------------	-----------	----------------

Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? Yes No

If Yes, give call letter(s) or file number(s) or both. _____

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any. _____

Section V-B - FM BROADCAST ENGINEERING DATA (Page 2)

5. Does the application propose to correct previous site coordinates? Yes No
 If Yes, list old coordinates.

Latitude ° ' "	Longitude ° ' "
---	--

6. Has the FAA been notified of the proposed construction? Yes No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.
FIVE-E

Date August 10th. 1996 Office where filed Southern Regional Office

7. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

	Landing Area	Distance (km)	Bearing (degrees True)
(a)	<u>Windy Hill (private)</u>	<u>8.0</u>	<u>328</u>
(b)	_____	_____	_____

7. (a) Elevation (to the nearest meter)

- (1) of site above mean sea level; 220 meters
- (2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 249 meters
- and lighting, if any); and 469
- (3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)]. _____ meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

- (1) above ground; 244 meters (H)
- 244 meters (V)
- (2) above mean sea level [(a)(1) + (b)(1)]; and 464 meters (H)
- 464 meters (V)
- (3) above average terrain. 267 meters (H)
- 267 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labeling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.
TWO-E

9. Effective Radiated Power:

(a) ERP in the horizontal plane 3.48 kw (H*) 3.48 kw (V*)

Is beam tilt proposed?

Yes No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevation plot of radiated field.

Exhibit No.
DNA

_____ kw (H*) _____ kw (V*)

*Polarization

Section V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Does this proposal modify a new unbuilt construction permit for an unbuilt, unlicensed facility? Yes No

If Yes, submit an Exhibit demonstrating compliance with 47 C.F.R. Section 73.3535 that includes a certification that construction will commence immediately upon grant of the construction permit application.

Exhibit No.
DNA

11. Is a directional antenna proposed? Yes No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s), and tabulations of the relative field.

Exhibit No.
DNA

12. Will the proposed facility satisfy the requirements of 47 C.F.R. Section 73.315(a) and (b)? Yes No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.
DNA

13. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal? Yes No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.

14. Is this application being filed as a One-step proposal pursuant to the Report & Order in MM Docket 92-159, 8 FCC 2d 4735 (released July 13, 1993)? Yes No

If Yes, list the proposed allotment site coordinates to the nearest second below and attach an Exhibit demonstrating that the proposed allotment site is in compliance with the allotment standards. The Exhibit must contain: (1) an allotment site map that complies with the requirements of the April 5, 1985, Public Notice, Mimeo 3693, or a statement that the allotment site will be located on an existing tower; (2) a city coverage map, showing the allotment site is in compliance with 47 C.F.R. Section 73.315; (3) a showing demonstrating that the allotment site meets the minimum distance separation requirements of 47 C.F.R. Section 73.207; and (4) a statement that the proposed allotment site is suitable for tower construction.

Exhibit No.
DNA

The coordinates for the proposed allotment site are:

Latitude	Longitude
----------	-----------

15. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207? Yes No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply? Yes No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.
DNA

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.
DNA

(e) Is authorization pursuant to 47 C.F.R. Section 73.215 requested? Yes No

If the answer to (e) is Yes, attach as an Exhibit a complete engineering study demonstrating compliance with the minimum spacing requirements of 47 C.F.R. Section 73.215(e) and lack of prohibited overlap with the affected stations. The engineering study must include the following:

Exhibit No.
DNA

Section V-B - FM BROADCAST ENGINEERING DATA (Page 4)

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the Exhibit(s).

16. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band and amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

Yes No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.
DNA

17. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V (D). The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.
THREE-E

18. Attach as an Exhibit (name the source) a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
FOUR-E

- (a) the proposed transmitter location, and the radials along which profile graphs have been prepared;
- (b) the 3.16 mV/m and 1 mV/m predicted contours; and
- (c) the legal boundaries of the principal community to be served.

19. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 4,781 sq. km. Population 180,387

20. For an application involving an auxiliary facility only, attach as an Exhibit a map (Sectional Aeronautical Chart or equivalent) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
DNA

- (a) the proposed auxiliary 1 mV/m contour; and
- (b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

Section V-B - FM BROADCAST ENGINEERING DATA (Page 5)

21. Terrain and coverage data (to be calculated in accordance with 47 C.F.R. Section 73.313)

Source of terrain data: (check only one box below)

- Linearly interpolated 30-second database 7.5 minute topographic map

(Source: DataWorld (USGS))

- Linearly interpolated 3-second database Other (summarize)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances	
		To the 3.16 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
328	246.0	22.2	37.7
0	229.7	21.5	36.7
45	266.5	23.1	39.00
90	273.3	23.3	39.4
135	302.1	24.5	41.1
180	257.7	22.7	38.4
225	284.9	23.8	40.1
270	271.3	23.3	39.3
315	248.5	22.3	37.9

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

22. Environmental Statement. (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding identified health and safety guidelines issued by the American National Standards Institute?

Yes No

If you answer Yes, submit as an Exhibit an Environmental Assessment required by 47 C.F.R. Section 1.1311.

Exhibit No.
Eng. Rep.

If No, explain briefly why not.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) JOHN H. BATTISON PE	Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer
Signature <i>John H. Battison</i>	Address (include ZIP Code) 2684 S.R. 60, Loudonville, OH 44842
Date 8/16/96	Telephone No. (include Area Code) 419/994-3849

This Engineering Report has been prepared on the instructions of Mr. Preston W. Small, dba Small Broadcasting, in support of his application for a construction permit to upgrade FM station WLRR from a class A on channel 264 to a class C3 station also on channel 264, move the transmitter, change power, increase the tower height and change the city of license to Covington, Georgia.

A printout of the allocation conditions on Channel 264 appears in Exhibit One -E. This shows that apart from a proposed Rule Making the channel is available for class C3 use as proposed, and that no interference will be caused to, nor received from, any other operating or proposed stations. Exhibits presented by the applicant justify the filing of this application in the light of the proposed Rule Making.

It is proposed to operate with an ERP of 3.48 kW with a center of radiation of 266.8 metres above average terrain from a center of radiation of 244 metres above ground. Beam tilt will not be used.

Operating as proposed the station will serve 180,387 people in an area of 4,781 square kilometres.

NAD 27 coordinates were used in the preparation of this application.

ENVIRONMENTAL CONSIDERATIONS

According to OST Bulletin Number 65 dated 1985, Appendix B, Table 1, an ERP of 10 kW (H and V) requires an antenna height of 18.3 metres above ground. It is proposed to radiate 3.48 kW horizontally and vertically from a radiation center of 244 metres above ground. Thus there will be no danger to personnel on the ground. Should it be necessary to work on the tower power will be reduced or turned off as required.

Exhibit One-E is a tabulation of channel 264

Exhibit Two-E is a vertical sketch plan of the proposed antenna system

Exhibit Three-E is a topographic map showing the proposed transmitter location.

Exhibit Four-E is a Sectional Aeronautical Chart showing the radials, 60 dBu and 70 dBu contours and the legal boundaries of the city of license.

Exhibit Five-E is a copy of FAA Form 7460.

AFFIDAVIT

State of Ohio)
(County of Ashland)

I, John H. Battison, under penalty of perjury do hereby state as follows:

That I am an experienced and qualified radio engineer, with offices at 2684 State Route 60, Loudonville, Ohio, and that I am a registered professional engineer, number 3351, in the District of Columbia;

That I have been engaged since 1945 in the practice of radi engineering, have made numerous field intensity measurements and proofs of performance on AM, FM and TV stations, have designed and adjusted directional antenna systems, have carried out allocation studies involving the AM, FM and TV spectra and have submitted engineering reports and statements to the Federal Communications Commission on numerous occasions:

That the measurements and/or calculations and exhibits contained in the attached engineering report and/or statements, were made by me personally or under my supervision and direction, and that all the facts and data included are true and correct of my own personal knowledge and belief unless otherwise stated therein, and that any statements shown as being made on information and belief are believed to be true and correct as therein appearing.

(S)

John H. Battison

John H. Battison
Registered Professional Engineer
District of Columbia, No. 3351

Dated this 16th day of August 1976

EXHIBIT ONE-E

July 29, 1996

FM Spacing study

Title: COVINGTON, GA
 Channel 264C3 (100.7 MHz)
 Database: FCC 07/11/96

Latitude: 33-28-34
 Longitude: 83-45-34
 Safety zone: 45 km

Call City of	Auth License	Licensee name St FCC File no.	Chan ERP-kW Freq EAH-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
EW Madsden Cut-off	APC 07/12/96	North Alabama Educationa AL	*210A 4.70 89.9 111	34-02-14 86-00-00	287.4 106.1	216.7 204.7	12 CLEAR
ABE Atlanta A: oddball	LIC ODD830330AD @ 0 deg	Board of Educ. City of A GA	*211C1 96DA 90.1 296	33-48-18 84-08-40	315.8 135.6	51.05 27.05	24 CLEAR
ABE Atlanta	APC	Board of Education of th GA	*211C 100 90.1 311	33-45-35 84-20-07	300.8 120.4	62.01 31.01	31 CLEAR
FXM-FM Worsyth	LIC	Middle Georgia Broadcast GA BLH-6007	261A 3 100.1 91	32-58-27 83-52-02	190.2 10.2	56.57 14.57	42 CLOSE
LLOC Worsyth		GA	261A 100.1	32-58-27 83-52-02	190.2 10.2	56.57 14.57	42 CLOSE
LLOC Wifton		GA	262C 100.3	31-27-22 83-33-40	175.2 355.3	224.8 128.8	96 CLEAR
ARM Sandy Springs	ADD	Emerald Broadcasting of GA DOC-89-585	263C1 100.5	33-47-03 84-24-50	299.7 119.3	69.68 -74.3	144 SHORT
SSL-FM Wray Court	LIC	SFX B/Casting of South C SC BMLH-930820KC	263C 100 100.5 378	34-34-19 82-06-41	50.8 231.7	194.8 18.79	176 CLEAR
LLOC Wray Court		SC	263C 100.5	34-34-19 82-06-41	50.8 231.7	194.8 18.79	176 CLEAR
LLOC Wniston		AL	263C 100.5	33-37-38 85-53-25	275.5 94.3	198.6 22.60	176 CLEAR
ARM Wniston	DEL	Emerald Broadcasting of AL DOC-89-585	263C 100.5	33-37-38 85-53-25	275.5 94.3	198.6 22.60	176 CLEAR
HMA-FM Wniston	LIC	Emerald Broadcasting of AL BLH-890803KB	263C 100 100.5 348	33-37-38 85-53-25	275.5 94.3	198.6 22.60	176 CLEAR
LRR Willedgeville OC-87-148	LIC	Preston W. Small GA BLH-900913KB	264A 3 100.7 100	33-06-50 83-13-08	128.6 308.9	64.41 -77.6	142 SHORT
LRR Willedgeville OC-87-148	APC	Preston W. Small GA BMLH-950804KF	264A 3 100.7 100	33-06-50 83-13-08	128.6 308.9	64.41 -77.6	142 SHORT

July 29, 1996

FM Spacing study

File: COVINGTON, GA
 Channel 264C3 (100.7 MHz)

Latitude: 33-28-34
 Longitude: 83-45-34

City of License	Auth Licensee name	St	FCC File no.	Chan Freq	ERP-kW EAH-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
LOC Wledgeville		GA		264C3 100.7		33-05-24 83-06-04	124.9 305.2	74.80 -78.2	153 SHORT
HR-FM APC Marietta	Southern Technical Insti	GA	BPED-960111LR	*264D 100.7	.017 47	33-56-22 84-31-12	306.4 126.0	87.25	
1 Marietta	ADD Tri-County Broadcasting	GA	DOC-93-270	264A 100.7		32-18-18 84-46-30	216.3 35.8	160.9 18.93	142 CLEAR
LOC Nevland		TN		264C 100.7		35-08-59 85-01-24	328.4 147.7	219.1 -17.9	237 SHORT
BY Nevland	LIC Colonial Broadcasting Co	TN	BLH-890711KC	264C 100.7	100 363	35-12-26 85-17-10	324.4 143.5	237.9 .924	237 CLOSE
SA-FM APC Perry	Radio Perry, Inc.	GA	BPH-951013IC	265A 100.9	5.30 106	32-33-20 83-44-14	178.8 358.9	102.1 13.11	89 CLOSE
SA-FM LIC Perry	Radio Perry, Inc.	GA	BLH-840511DN	265A 100.9	2.25 108	32-33-20 83-44-14	178.8 358.9	102.1 13.11	89 CLOSE
LOC Perry		GA		265A 100.9		32-33-20 83-44-14	178.8 358.9	102.1 13.11	89 CLOSE
LOC Tomaston		GA		266A 101.1		32-54-08 84-23-13	222.6 42.3	86.46 44.46	42 CLEAR
LOC Mouncey		GA	DOC-88-460	267C2 101.3		32-16-03 83-06-26	155.4 335.8	147.3 91.28	56 CLEAR

Channel window 11/06-12/06/89 **CLOSED**

>> End of channel 264C3 study <<

NOT TO SCALE

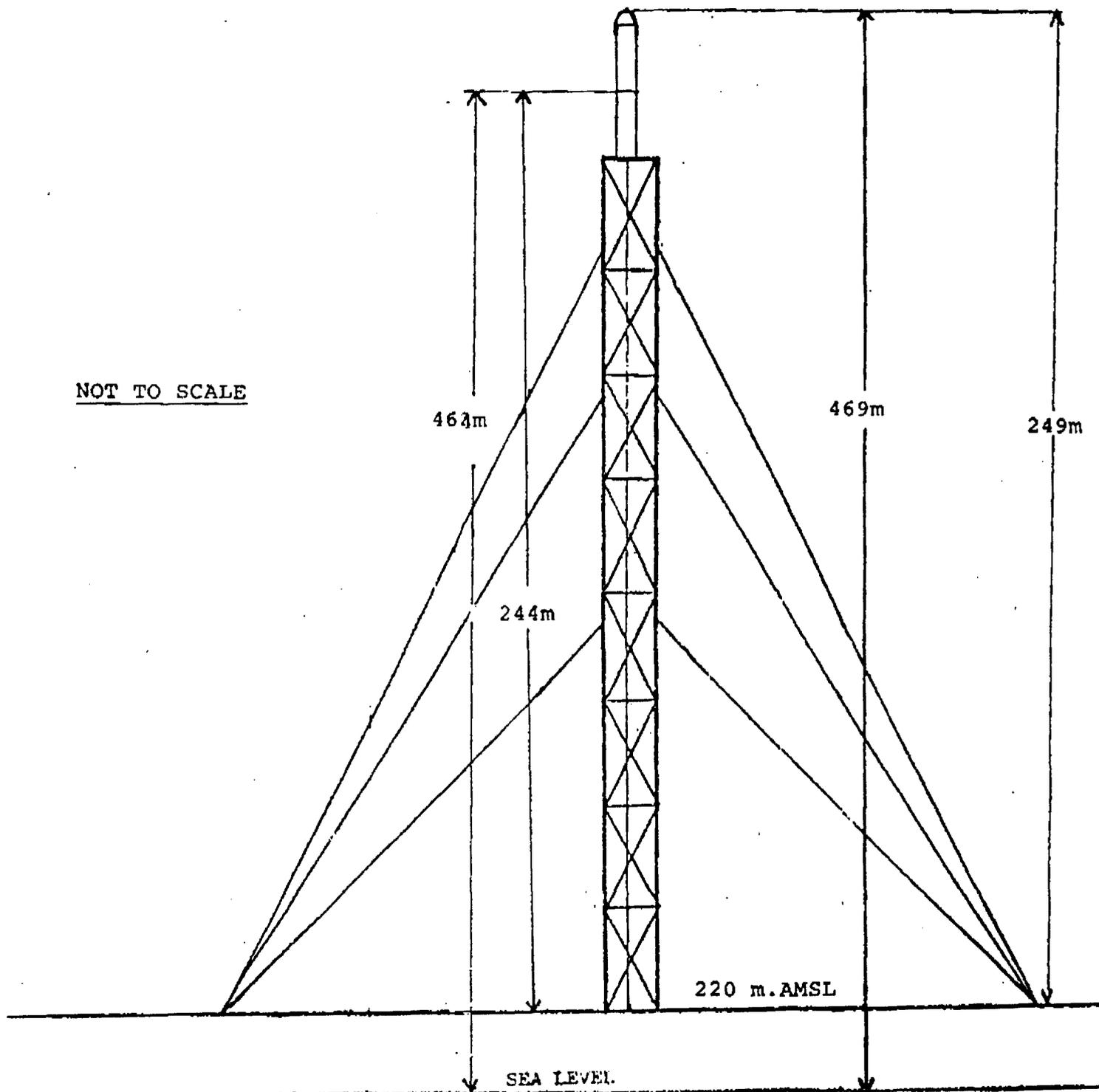
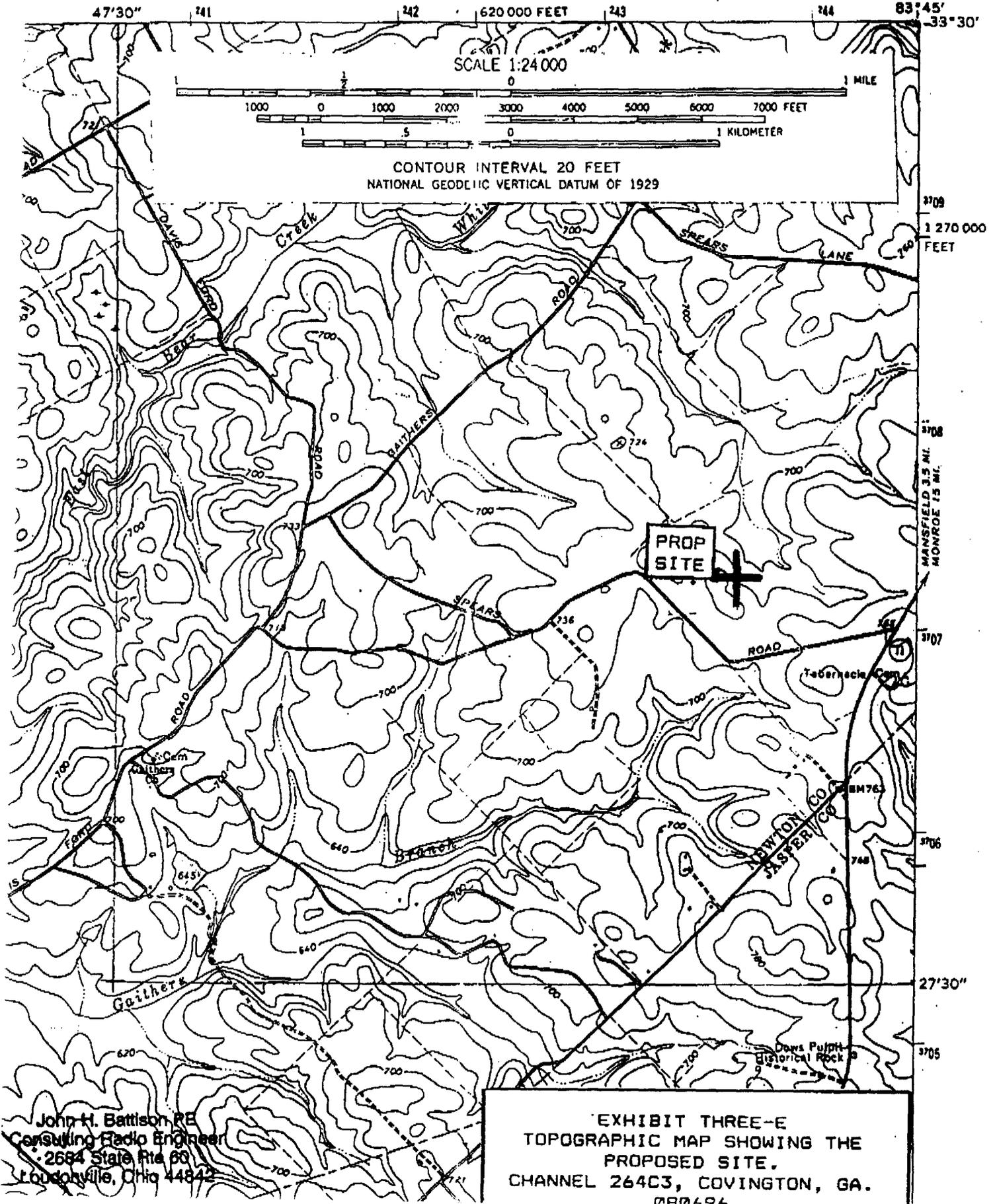


EXHIBIT TWO-E
VERTICAL SKETCH PLAN SHOWING
THE PROPOSED ANTENNA SYSTEM.
CHANNEL 264C3, COVINGTON, GA.
080696

John H. Battison PE
Consulting Radio Engineer
2684 State Rte 60
Loudonville, Ohio 44842

STEWART QUADRANGLE
 GEORGIA
 7.5 MINUTE SERIES (TOPOGRAPHIC)

201 8 PM
 MANSFIELD



John H. Battison, PE
 Consulting Radio Engineer
 2694 State Rte 60
 Loudonville, Ohio 44842

EXHIBIT THREE-E
 TOPOGRAPHIC MAP SHOWING THE
 PROPOSED SITE.
 CHANNEL 264C3, COVINGTON, GA.
 DR0494

Notice of Proposed Construction or Alteration
Failure To Provide All Requested Information May Delay Processing Of Your Notice

Nature of Proposal			2. Complete Description of Structure		
type <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration *	B. Class <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Duration _____ months)	C. Work Schedule Dates Beginning <u>FCC APP</u> End <u>2 mos.</u>	Please describe the proposed construction or alteration. A. For proposals involving transmitting stations, include effective radiated power (ERP) and assigned frequency. If not known, give frequency band and maximum ERP. B. For proposals involving overhead wire, transmission lines, etc., include the size and the configuration of the wires and their supporting structures. C. For buildings, include site orientation, dimensions, and construction materials. D. Optional— Describe the type of obstruction marking and lighting system desired. The FAA will consider this in their study.		
Alteration, provide previous FAA Aeronautical Study Number, if available: _____ Name, address, and telephone number of individual, company corporation, etc. proposing the construction or alteration. (Number, Street, City, State, and Zip Code) Preston W. Small, dba Small Broadcasting PO Box 635, Madison, GA. 30650 (706) 342-1230 Area Code Telephone Number			a. 100.7mHz. 3.48 kW ERP 817Ft. steel guyed tower b. DNA c. DNA d. As required by FAA		
Name, address and telephone number of proponent's representative, if different than 3A. above. John H. Battison PE Consulting Radio Engineer, 2684 SR. 60, Loudonville, OH. 44842 (419) 944-3849 Area Code Telephone Number					

Location Of Structure			5. Height and Elevation (to nearest foot)		
Coordinates (to hundredths of seconds, if known) Latitude 0 33 28 34 Longitude 0 83 45 34 Source for item 4A data. USGS 7.5' Quad Chart <input type="checkbox"/> Survey <input type="checkbox"/> Other Specify _____ State the reference datum. NAD 27 <input type="checkbox"/> NAD 83 <input type="checkbox"/> Other Specify _____	B. Nearest City or Town and State Mansfield	C. Nearest public or military airport, heliport, flightpark, or seaplane base Covington (1). Distance to 4B 3 mi. (2). Direction to 4B 020°T	A. Elevation of ground above mean sea level. 720	B. Height of structure including all appurtenances and lighting above ground or water. 817	C. Overall height above mean sea level 1537
4E. Description of site location with respect to highways, street, airports, prominent terrain, features, existing structures, etc. Please attach a U.S. Geological Survey Map (or equivalent) showing the construction site. If available, attach a copy of a documented site survey with the surveyor's certification. 0.26 mi. N of bend in Spiers Rd. 0.5 mi. W of hiway 11					

As required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. app. § 1501). Persons who knowingly and willfully violate the Notice requirements of Part 77 are subject to a civil penalty of \$1,000 per day until the notice is received, pursuant to Section 901(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. app. § 1471(a)), as well as the fine (criminal penalty) of not more than \$500 for the first offense and not more than \$2,000 for subsequent offenses, pursuant to Section 901(b) of the Federal Aviation Act of 1958, as amended (49 U.S.C. app. § 1472(a)).

HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking & lighting standards as necessary.

Date .10.96	Typed or Printed Name and Title of Person Filing Notice John H. Battison PE	Signature <i>J. Battison</i>
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FOR FAA USE ONLY

Supplemental Notice of Construction, FAA Form 7460-1, required any time the project is altered.

Does not require a notice to FAA: At least 48 hours before the start of construction.
 Is not identified as an obstruction under any standard of FAA, Part 77, Subpart C, and would not be a hazard to air navigation. Within five days of the start of construction.
 Is identified as an obstruction under the standards of FAA, Part 77, Subpart C, but would not be a hazard to air navigation. (a) extended, revised or terminated by the issuing office, or (b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is pending with the FCC. (c) the above expiration date, in such case, shall be the expiration date of the application.
 Should be construction marked as required by Advisory Circular 70/7460-1, Chapter 1. (d) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is pending with the FCC. (e) the above expiration date, in such case, shall be the expiration date of the application.
 Obstruction marking and lighting are not necessary. (f) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is pending with the FCC. (g) the above expiration date, in such case, shall be the expiration date of the application.

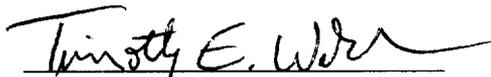
D 83 Coordinates (Use these coordinates for any future correspondence with the FAA)	Latitude	Longitude
Signature	Date	

CERTIFICATE OF SERVICE

I hereby certify that I have this 28th day of July, 1997 sent a copy of the foregoing Petition for Rule Making by First-Class United States mail, postage prepaid, to the following:

James P. Riley*
Ann Bavender
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street
Rosslyn, VA 22209

Mark N. Lipp**
Ginsburg, Feldman & Bress
1250 Connecticut Ave., N.W. #800
Washington, D.C. 20036



Timothy E. Welch

*Mr. Riley is counsel to Scotts Trail Radio, Inc., former assignee of Station WLRR-FM, Milledgeville, GA.

**Mr. Lipp is counsel to WNNX License Investment Company, licensee of Station WHMA-FM, Anniston, AL.