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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments)
FM Broadcast Stations)
(Cape Canaveral, Florida))

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RULE MAKING

Jesus Torrado, petitioner, by his undersigned counsel, hereby respectfully requests that the Commission modify its FM broadcast station Table of Allotments in Section 73.202 of the Commission's Rules¹ as follows:

	Channel No.	
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Cape Canaveral, Florida	None	228A

In support of this request, the following is respectfully submitted for consideration by the Commission:

1. Mr. Torrado, through his interest in JNV Communications, is the Commission licensee for commercial broadcast stations WTRR-AM, Sanford, Florida, and WPRD-AM, Winter Park, Florida. As such, Mr. Torrado has been found by the Commission as qualified to be the

¹47 CFR 73.202(b).

014
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licensee of a commercial broadcast station.

2. No other AM, FM or Television assignments are licensed to this community, which is listed in the U.S. Census as having a population of 8,014 persons. The proposed allocation will provide Cape Canaveral, Florida with its first local service.

3. As indicated by the attached engineering analysis, Channel 228A can be allocated to Cape Canaveral, Florida, with a site restriction approximately 14.5 kilometers to the north. Such a restriction will not prevent the channel from serving the proposed city of license and all separation requirements will be met. See the Engineering Exhibit prepared by Mr. Torrado's engineering consultants, Michael Celenza Communications, attached hereto as Exhibit 1.

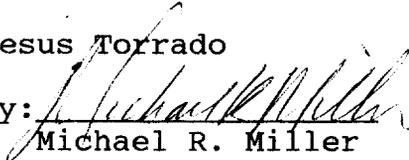
4. Mr. Torrado commits to apply for a construction permit to utilize the proposed commercial assignment upon adoption of this proposal by the Commission. Mr. Torrado further commits to build a commercial FM station using said assignment in the event the Commission subsequently approves his application for a construction permit.

Wherefore, based on the foregoing, petitioner, Jesus Torrado, respectfully requests that the FM Table of Allotments contained in Section 73.202 of the Commission's rules and regulations be modified to assign FM channel 228A to Cape Canaveral, Florida.

Respectfully submitted,

Jesus Torrado

By:


Michael R. Miller
Its Attorney

Southmayd & Miller
1220 19th Street, N.W.
Suite 400
Washington, D.C. 20036
(202) 331-4100

Date: November 18, 1997

ENGINEERING EXHIBIT
IN SUPPORT OF AMENDMENT TO SECTION
(47 CFR 73.202) OF THE RULES TO
ALLOCATE CHANNEL # 228A
CAPE CANAVERAL, FLORIDA
SEPTEMBER 9, 1997

MICHAEL CELENZA COMMUNICATIONS
TELEPHONE # (516) 681-0878
40 GROHMANS LANE PLAINVIEW N.Y. 11803

ENGINEERING EXHIBIT
IN SUPPORT OF AMENDMENT TO SECTION
(47 CFR 73.202) OF THE RULES TO
ALLOCATE CHANNEL # 228A
CAPE CANAVERAL, FLORIDA

SEPTEMBER 9, 1997

SUMMARY

The following engineering statement has been prepared on behalf of Jesus Torrado, petitioner, in support of a petition to modify the FM Table of allotments (47 CFR 73.202). Mr. Torrado proposes to add channel 228A , as a fully spaced class A FM commercial service to the community of Cape Canaveral, Florida.

Channel 228A if allocated to Cape Canaveral, Florida will require that it be "site restricted" approximately 14.5 kilometers to the north. This site restriction to the north will not inhibit the channel from serving the proposed city of license. An area to locate the channel, the proposed facility has been determined by this office which approximates 8 square kilometers in size. At all points within this area, the proposed facility may be located and meet all separation requirements.

MICHAEL CELENZA COMMUNICATIONS

As an aid in determining the feasibility of the proposed allocation, a suitable site within the area was chosen with the following geographical coordinates:

28° 32' 14" North Latitude.

80° 35' 32" West Longitude.

A separation study was conducted from this site and the results of the study are contained herein as table 1. Additionally, the proposed allocation meets all U.S. separation requirements.

No other AM, FM or Television assignments are licensed to this community, which is listed in the U.S. Census as having a population of 8,014 persons. The proposed allocation will provide Cape Canaveral, Florida with its first local service.

Further information, if required, concerning engineering portion of petition please contact the undersigned.

SEPTEMBER 9, 1997



MICHAEL CELENZA COMMUNICATIONS

40 GROHMANS LANE

PLAINVIEW, N.Y. 11803

(516) 681-0878

JOB TITLE: JESUS TORRADO
CHANNEL: 228A

MICHAEL CELENZA
COMMUNICATIONS
FM SEPARATION STUDY

TABLE 1
SEPARATION 160 KM
COORDINATES 28-32-14 N
80-35-32 W

Searching Channel 228A6 (93.5 MHz):

FCC DB DATE 09/05/97

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Ocala	FL	225	C2	U	158.3	55.0	292.3°	103.3
WMFQ	Ocala	FL	225	C2	L	158.3	55.0	292.3°	103.3
ALC	Edgewater	FL	226	C3	U	51.3	42.0	324.6°	9.3
WKROFM	Edgewater	FL	226	C3	L	49.0	42.0	324.1°	7.0
ALC	Tampa	FL	227	C	U	181.2	165.0	244.8°	16.2
ALC	Callahan	FL	227	C2	U	242.4	106.0	337.4°	136.4
W227AF	Melbourne	FL	227	D	L	45.6	0.0	193.8°	45.6
WFLZ	Tampa	FL	227	C	L	181.2	165.0	244.8°	16.2
WPLA	Callahan	FL	227	C2	L	242.4	106.0	337.4°	136.4
ALC	Belle Glade	FL	228	A	U	202.1	115.0	182.5°	87.1
NEW-T	Union Park	FL	228	D	A	62.7	0.0	273.2°	62.7
NEW-T	Union Park	FL	228	D	A	62.7	0.0	273.2°	62.7
WBGF	Belle Glade	FL	228	A	L	202.5	115.0	182.5°	87.5
ALC	Ocala	FL	229	C	U	168.2	165.0	297.5°	3.2
ALC	Vero Beach	FL	229	C2	U	105.9	106.0	168.5°	-0.1
WAAD	Tice	FL	229	C2	A	252.7	106.0	212.1°	146.7
WAAD	Estero	FL	229	C2	A	252.7	106.0	212.1°	146.7
WGYL	Vero Beach	FL	229	C2	L	105.6	106.0	169.3°	-0.4
WOGK	Ocala	FL	229	C	L	166.3	165.0	299.2°	1.3
W230AL	Cocoa	FL	230	D	C	25.1	0.0	216.9°	25.1
ALC	Lakeland	FL	231	C	U	140.4	95.0	244.9°	45.4
ALC	St. Augustine	FL	231	C3	U	171.6	42.0	333.1°	129.6
WSJT	Lakeland	FL	231	C	L	177.2	95.0	237.3°	82.2
WSOS	St. Augustine	FL	231	C3	L	171.6	42.0	333.1°	129.6
ALC	Cocoa Beach	FL	281	C	U	47.5	28.0	275.8°	19.5
WTKS	Cocoa Beach	FL	281	C	L	47.5	28.0	275.8°	19.5