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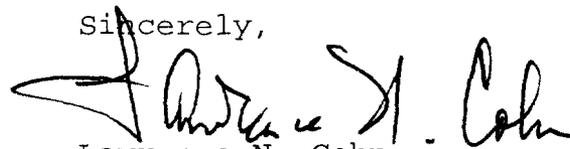
February 9, 1998

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

Dear Ms. Salas

On behalf of Kent S. Foster, there are herewith submitted an original and four (4) copies of his Comments and Counterproposal in MM Docket No. 97-244 (RM 97-244). In these Comments and Counterproposal Mr. Foster proposes that the Commission allot FM Channel 291A to Mason, Texas.

Sincerely,


Lawrence N. Cohn

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BEFORE THE
Federal Communications Commission

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 97-244
Table of Allotments,)	RM-9200
FM Broadcast Stations.)	
(Kerrville, Texas))	

To: Chief, Allocations Branch

Comments and Counterproposal

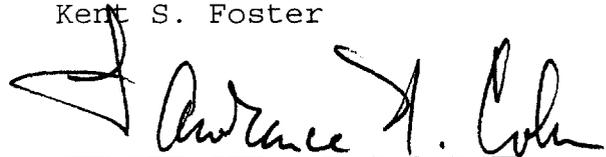
Kent S. Foster ("Foster"), by his attorneys, hereby submits these Comments and Counterproposal with reference to the Commission's Notice of Proposed Rule Making in MM Docket No. 97-244 (RM-9200) released December 19, 1997, wherein the Commission proposed to amend the FM Table of Allotments by adding FM Channel 291A to Kerrville, Texas.

For the reasons explained in the attached Engineering Statement of Mark Peabody, Foster proposes that, instead of allotting Channel 291A to Kerrville, Texas, the Commission should instead allot Channel 291A to Mason, Texas.

Foster has authorized the undersigned to state that if Channel 291A is allotted to Mason, Texas, he will submit a construction permit application for the station and, if authorized to do so by the Commission, will construct and operate said station. ^{1/}

Respectfully submitted,

Kent S. Foster



Lawrence N. Cohn
Cohn and Marks
1920 N. Street, NW
Suite 300
Washington, DC 20036
(202) 293-3860

His Counsel

Dated: February 9, 1998

^{1/} Foster is concurrently filing Comments and Counterproposal to add Channel 291A to Leaky, Texas. That proposal is consistent with the instant proposal and with Foster's representations herein (but is inconsistent with the proposal in the NPRM to add Channel 291A to Kerrville, Texas).

Engineering Statement
Counter Proposal to RM 9200 - MM Docket 97-244
to Amend the FM Table of Allotments (§73.202(b))
Addition of Channel 291A at Mason, Texas
prepared for
Kent Foster

Introduction

Kent Foster ("*Foster*") respectfully requests the Federal Communications Commission to amend Section 73.202(b) of its rules to add FM Channel 291A at Mason, Texas instead of Kerrville, Texas (RM-9200). *Foster* seeks to provide a second local aural service to the town of Mason in Mason County, Texas.

Ch. 291A at Mason, Texas

Mason is a city with a population of 2,022 people occupying 7.8 square kilometers as of the 1990 U.S. Census. The city of Mason is county seat for Mason County. Mason has a fire department, elementary and high schools, at least six churches, a community center in a city park, and city run electricity, sewer, and water systems. Approximately 4.8 km southeast of Mason is the Mason County Airport.

Foster's proposed reference point for Mason (North Latitude 30° 44' 55" West Longitude 99° 13' 49") is the U.S. Geological Survey Geographic Names Information System centroid for Mason. The proposed reference point meets all pertinent minimum distance separation requirements for Channel 291A with respect to domestic, United States stations.

The proposed reference point is approximately 225 kilometers from the U.S. Mexico Border. Mason is within the 320 kilometer "strip" considered the "border area" in the 1992 U.S. - Mexico FM agreement. *Foster* therefore respectfully petitions the Commission to request from Mexico that a coordinated allotment be made for Mason on Channel 291AA. *Foster's* proposed reference point for Ch. 291AA with

Engineering Statement
Petition for Rulemaking
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6.0 kW/100m AAT facilities at Mason meets all pertinent separation requirements toward identifiable Mexican stations and allotments as a Class AA station.

The use of Channel 291A at *Foster's* proposed reference point (North Latitude 30° 44' 55" West Longitude 99° 13' 49") requires no site restriction. From the proposed reference point, a 6.0 kW/100 meter Class A facility will be able to encompass the town of Mason with a 3.16 mV/m or better principal community signal strength contour. From the proposed reference point, within the Class A class contour distance of 28 kilometers, there are 2,462 square kilometers and 3,472 people as of the 1990 U.S. Census.

Ch. 291A at Mason Compatible With Ch. 291A at Leakey, Texas

Foster is simultaneously filing a counterproposal to add Ch. 291A at Leakey, Texas instead of Kerrville, Texas. The proposed reference point for Mason is 121.9 km distant from *Foster's* proposed reference point for Leakey, Texas. (North Latitude 29° 46' 21" West Longitude 99° 48' 52"). Section 73.207(b) of the FCC Rules requires a minimum separation of 115 km. Thus, *Foster's* proposals to add Ch. 291A at Mason and Leakey are compatible. *Foster's* proposed reference point for Mason is 78.3 km distant from the proposed reference point for Kerrville. Thus, the instant proposal to add Ch. 291A at Mason is mutually exclusive with the proposal to add Ch. 291A at Kerrville.

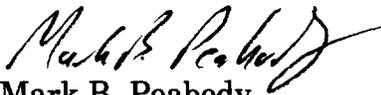
Conclusion

Foster respectfully requests that the Commission amend Section 73.202(b) to allot Channel 291A to Mason, Texas with the reference point North Latitude 30° 44' 55" West Longitude 99° 13' 49" with no site restriction. Allotment of Channel 291A to Mason will provide a second local aural service to the town.

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Certification

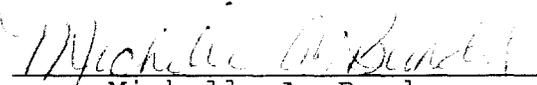
I, Mark B. Peabody, hereby certify that the foregoing statement for Ch. 291A at Mason, Texas for *Kent Foster* was prepared by me or under my direction, that it is true and correct to the best of my knowledge and belief, and that my qualifications are a matter of record with the Federal Communications Commission.


Mark B. Peabody
February 9, 1998

CERTIFICATE OF SERVICE

I hereby certify that I have, this Ninth day of February, 1998, sent copies of the foregoing Comments and Counterproposal by first class United States Mail, postage prepaid, to:

Bradford D. Carey, Esq.
Hardy and Carey, L.L.P.
111 Veterans Boulevard
Suite 255
Metairie, Louisiana 70005
Counsel for The Stronghold
Foundation, Inc.


Michelle A. Bundy