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May 11, 1998

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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THIS DATE
MAY 13 1998
CANCELLED
F.C.C.
OFFICE OF THE SECRETARY

Re: Amendment of Section 73.202(b) FM Table of
Allotments (Martin, Tiptonville
and Trenton, Tennessee)
MM Docket No. 96-204; RM-8876; RM-9015

Dear Ms. Salas:

Transmitted herewith on behalf of Thunderbolt Broadcasting Co., the licensee of WCMT-FM, Martin, Tennessee, is an original and four copies of its comments concerning the Order to Show Cause, DA 98-508, released by the commission on March 20, 1998, in the above-captioned rule making proceeding. These 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
Patricia M. Chuh

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MAY 11 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Enclosure

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

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. 96-204
) RM-8876
Table of Allotments) RM-9015
)
FM Broadcast Stations)
(Martin, Tiptonville)
and Trenton, Tennessee))

To: Chief, Allocations Branch

COMMENTS TO ORDER TO SHOW CAUSE

Thunderbolt Broadcasting Company ("Thunderbolt"), by its attorneys, hereby submits its comments concerning the Order to Show Cause, DA 98-508, released by the Commission on March 20, 1998, in the above-captioned rule making proceeding.^{1/}

Thunderbolt hereby restates its intention to reimburse the licensee of WWEZ(FM) for the reasonable costs of changing frequencies should it ultimately become the permittee of Channel 247A at Tiptonville, Tennessee, as required by Commission policy, or in the event the Commission orders it to do so as a result of the Channel change sought in this proceeding. It is well settled that the Commission requires the ultimate permittee of a new channel to reimburse the existing licensee for the reasonable costs of changing the frequency of the existing station, when required to make the new allotment. See e.g., Berlin, De Forest, Markesan and Wautoma, Wisconsin, 10 FCC Rcd 7733, 7734 (1995); New Sharon

^{1/} The Order to Show Cause established May 11, 1998 as the deadline for filing comments. Accordingly, the instant Comments to Order to Show Cause is timely filed.

and Albia, Iowa and Memphis, Missouri, 6 FCC Rcd 7429, 7430
(1991).

But regardless of whether Thunderbolt becomes the ultimate permittee of Channel 247A at Tiptonville, Tennessee, Thunderbolt hereby re-states its further intention to reimburse Radiocorp of Jackson, Inc. for the reasonable costs of changing WWEZ's facilities to operate on Channel 249C3 at Trenton, Tennessee, should the Commission order it to do so.^{2/}

WHEREFORE, the Commission should substitute Channel 267C3 for Channel 269A at Martin, Tennessee and modify the operation of WCMT-FM to specify Channel 267C3; substitute Channel 249C3 for Channel 248C3 at Trenton, Tennessee and modify the operation of WWEZ(FM) to specify operation on Channel 249C3; and allot Channel 247A to Tiptonville, Tennessee as its first local transmission service.

Respectfully submitted,

THUNDERBOLT BROADCASTING COMPANY

By: 
Patricia M. Chuh
Its Attorneys

Pepper & Corazzini, L.L.P.
1776 K Street, N.W., Suite 200
Washington, D.C. 20006
(202) 296-0600

May 11, 1998

^{2/} Thunderbolt so stated and committed to do so in Thunderbolt's timely-filed Comments and Counterproposal of Petitioner submitted on November 25, 1996.

CERTIFICATE OF SERVICE

I, Lisa Skoritoski, a secretary in the law firm of Pepper & Corazzini, L.L.P., do hereby certify that true copies of the foregoing "Comments to Order to Show Cause" were sent this 11th day of May, 1998 by U.S. first class mail, postage prepaid, to the following:

* Mr. John A. Karousos
Chief, Allocations Branch
Mass Media Bureau
Federal Communications Commission
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(Counsel to Terry Hailey)

Radiocorp of Jackson, Inc.
P.O. Box 198
Brownsville, Tennessee 38012
(Licensee of WVEZ(FM), Trenton, Tennessee)



Lisa Skoritoski

* via hand delivery