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June 10, 1998

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: Petition for Rulemaking
FM Table of Allotments
Allegan and Otsego, Michigan

Dear Ms. Salas:

Enclosed on behalf of Forum Communications, Inc., licensee of WZUU(FM), Channel 221A, Allegan, Michigan and WQXC(FM), Channel 265A, Otsego, Michigan are an original and four copies of a petition for rulemaking to change the FM Table of Allotments, 47 C.F.R. §73.202(b), by switching the communities of license for these two channels. The Engineering Exhibit accompanying the petition sets forth the technical arguments in support of the requested rulemaking.

We have included one additional copy of the petition and we would appreciate it if you would date-stamp that copy and return it to us for our files. If any questions should arise regarding this petition, please contact me.

Sincerely,



Timothy J. Fitzgibbon
Counsel for Forum Communications, Inc.

TJF:kdd
Enclosures
cc: John A Karousos (w/enclosures)
Kathleen Scheuerle (w/enclosures)

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Before the
Federal Communications Commission
Washington, D.C.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. _____
Table of Allotments,)	RM- _____
FM Broadcast Stations,)	
(Allegan and Otsego, Michigan))	

PETITION FOR RULEMAKING

Forum Communications, Inc. ("Forum"), pursuant to Sections 1.401 and 1.420(i) of the rules, hereby petitions for a rulemaking to: (a) amend the FM Table of Allotments, 47 C.F.R. §73.202(b), to reallocate Channel 222A from Allegan, Michigan to Otsego, Michigan and to reallocate Channel 265A from Otsego to Allegan; (b) modify the license of WQXC(FM) to specify operation on Channel 265A at Allegan; and (c) modify the license of WZUU(FM) to specify operation on Channel 222A at Otsego. Forum currently is the licensee of both stations and will apply for each channel if reallocated as requested herein. No other stations or channels are involved in this proposal and the proposal is mutually exclusive with the existing allotments and Forum's current operation of both stations.

Forum is proposing to switch the communities of license for Channels 222A and 265A in order to eliminate certain existing short-spacing problems and to use the channels more efficiently. As set forth in detail in the attached Engineering Exhibit, by switching the communities of license, Forum could eliminate two existing short-spacings affecting the operations of WZUU(FM) and nearly triple the population served by that station while preserving the existing

operations and coverage of WQXC(FM). At the same time, the proposal, if granted, would leave each community with the same class of service that it currently receives and would not affect any other stations or channel allotments.

A. Effect On Channel 222A

WZUU(FM) currently is licensed to operate on Channel 222A at Allegan, where it is short-spaced with WGHN-FM, Channel 221A, at Grand Haven, Michigan and with WVHQ, Channel 221A at Dowagiac, Michigan. However, the proposed reference point for channel 222A at Otsego would eliminate both short-spacings, allowing WZUU(FM) to operate with full Class-A facilities. See, Engineering Exhibit at 2 and Table 2. If Forum's proposal is granted, Forum will immediately apply to modify the facilities of WZUU(FM) to specify Otsego as the community of license and to operate with full Class-A facilities from the new site. Such a modification would result in a 283% increase in population coverage, from 79,013 to 223,855. Id. The entire loss area (i.e. the area within the current 60 dbu contour of WZUU(FM), but outside the proposed 60 dbu contour) already is served by more than five primary commercial signals. Id. at 2 and Table 3. Thus, the proposal will nearly triple the population served by WZUU(FM) without leaving any "under-served" areas.

B. Effect On Channel 265A

At the same time, the proposal will have no significant affect on WQXC(FM), other than to change its community of license. The station currently is short-spaced to WBYT, Channel 264B, Elkhart, Indiana; WITL-FM, Channel 264B, Lansing, Michigan; and WCUZ-FM, Channel 267B, Grand Rapids, Michigan. As a result, the station is limited to 3kw Class A facilities. See,

Engineering Exhibit at 1. The current proposal would not affect the operation of the station, other than to change the community of license from Otsego to Allegan. If the proposal is granted, WQXC(FM) would serve Allegan from its current site and the existing short-spacings and coverage will be unaffected. There is no “clear” site for this channel, and any other site would result in a new or increased short-spacing. Id. at 1-2 and Table 1.

C. Other Considerations

In short, the net result of this proposal is that WZUU(FM) would eliminate two existing short-spacings and nearly triple its population coverage without creating any underserved areas, while WQXC(FM) would be substantially unaffected. Forum is the licensee of both channels and no other stations are involved in the proposal. Each community would retain a channel of equivalent class to its current channel. Finally, the proposal falls within Section 1.420(i) of the rules because in each case the proposed channel substitutions are mutually exclusive with the existing allotments and the current operation of the channels from their existing locations. See, Engineering Exhibit at 3 and Figure 2. If granted, Forum will immediately file appropriate modification applications for these facilities. Consequently, Forum respectfully submits that its proposal would serve the public interest and requests that the Commission initiate a rulemaking proceeding to amend the FM Table of Allotments as set forth below and to modify the licenses of WZUU(FM) and WQXC(FM) accordingly:

<u>Community of License</u>	<u>Present</u>	<u>Proposed</u>
Allegan, Michigan	222A	265A
Otsego, Michigan	265A	222A

June 10, 1998

Respectfully submitted,

FORUM COMMUNICATIONS, INC.

By: 
Timothy J. Fitzgibbon

Carter, Ledyard & Milburn
1350 I Street, N.W., Suite 1010
Washington, D.C. 20005
(202) 898-1515

Its Attorney

ORIGINAL

Mueller Broadcast Design

613 S. La Grange Road
La Grange, Illinois 60525

**ENGINEERING EXHIBIT FOR
FORUM COMMUNICATIONS, INC.
ALLEGAN AND OTSEGO, MICHIGAN**

This engineering exhibit was prepared in support of a Petition for Rulemaking being filed by Forum Communications, Inc. (Forum) to amend 47 CFR 73.202(b).

Forum proposes that channel 222A be allocated to Otsego, Michigan in lieu of currently allotted channel 265A. Forum further proposes that channel 265A be allocated to Allegan, Michigan in lieu of currently allotted channel 222A. This will effectively "swap" the two channels. WZUU (FM) is licensed to operate on channel 222A at Allegan, and WQXC (FM) is licensed to operate on channel 265A at Otsego. The proposed channel swap involves no other stations, and results in equivalent channels for each community.

It is requested that the license of WQXC be modified to specify the Allegan as its new community of license. No other changes are required at WQXC (channel 265A). The WZUU channel 222A reference point will change, with Otsego as its new community of license. Forum will file FCC form 301 for the changed allocation and new site as soon as this petition is granted.

The proposed channel allocations can be made in full compliance with FCC rules. Currently, WQXC (channel 265A) is short-spaced to WBYT (264B), Elkhart IN, WITL-FM (264B), Lansing, MI and WCUZ-FM (267B), Grand Rapids, MI. Since the site will not change, there is no effect on these short-spacings. WQXC is currently limited to "3 KW class-A" facilities and no changes in those facilities are proposed. WQXC meets the requirements of 47 CFR 73.213(c)(1) with regard to WBYT and

WITL-FM. The short-spacing to WCUZ-FM dates back over 17 years and WCUZ-FM has applied to change sites under a waiver of 73.213(c)(1), filed in 1994, which has yet to be acted on. WQXC is only 0.9 kilometers short to the WCUZ-FM licensed site.

There is no "clear" site area for this channel which meets all 47 CFR 73.207 limits, and any other site would cause a new or worsened short-spacing. See table 1 attached.

The proposed reference point¹ for channel 222A at Otsego (WZUU) is in full compliance with 47 CFR 73.207. This change will result in elimination of two existing short-spacings, with WGHN-FM (221A), Grand Haven, MI and WVHQ (221A), Dowagiac, MI. The reference point site is believed to be buildable and allows this channel to operate at full class-A facilities. See table 2 attached for the spacing analysis.

The population served by WQXC, (71,429) will not change. The population served by WZUU will increase from 79,013 to 223,855, a 283% increase. The "loss area" outside the proposed 60 dBu contour but within the current WZUU 60 dBu contour is fully served by over 5 primary commercial signals and will not be left "under-served" due to this proposal. See table 3 attached.

Due to the elimination of two existing short-spacings and the 283% increase in 60 dBu population for WZUU, it is suggested that this proposal results in a more efficient, fair and equitable allocation distribution and is in the public interest.

It is hereby respectfully proposed that the FM table of allotments at 47 CFR 73.202(b) be amended as follows:

¹ The proposed reference point for 222A at Otsego is 42° 29' 03"N - 85° 28' 53"W

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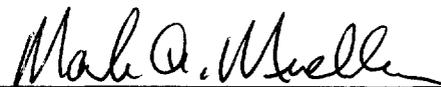
<u>Community of License</u>	<u>Present</u>	<u>Proposed</u>
Allegan, Michigan	222A	265A
Otsego, Michigan	265A	222A

The proposed channel substitutions at Allegan and Otsego will result in an equivalent channel as that currently allotted and will have minimal impact on the licensee(s), since both are owned by the petitioner.

The proposed channel substitution falls within the parameters of the FCC rules at 47 CFR 1.420(i) in that in each case the proposed and existing allocations are mutually-exclusive. See figure 2 attached.

This engineering exhibit was prepared by me and is true and correct to the best of my knowledge and belief.

April 24, 1998



Mark A. Mueller

Mueller Broadcast Design

613 S. La Grange Road
La Grange, Illinois 60525

FM Channel Search for: **WQXC, Otsego or Allegan, MI**
Coordinates used: 42-30-31/ 85-46- 8

NOTE: All distances are in Kilometers. Any stations which clear by more than 50 KM are not included in list.

Study for channel 265-A (100.9MHz)				-----Spacing-----			--Contours--	
CH#	Call File	Location	Class	Actual	FCC	Clearance	60	Int.
263 (100.5 MHz)								
	USE	Walker	MI A	54.7	31	23.7 @ 2.3°	3.2	1.1
WQFN	LIC	Walker	MI A	56.5	31	25.5 @ 2.9°	24.5	7.4
264 (100.7 MHz)								
WBYT	LIC	Elkhart	IN B	105.2	113	<u>-7.8 @ 199.7°</u>	52.3	76.9
	USE	Elkhart	IN B	105.2	113	<u>-7.8 @ 199.7°</u>	3.2	4.5
	USE	Lansing	MI B	105.8	113	<u>-7.2 @ 79.4°</u>	3.2	4.5
WITLFM	LIC	Lansing	MI B	105.8	113	<u>-7.2 @ 79.4°</u>	51.3	75.7
265 (100.9 MHz)								
WBRNFM	LIC	Big Rapids	MI A	130.4	115	15.4 @ 10.2°	28.1	86.2
	USE	Big Rapids	MI A	130.6	115	15.6 @ 10.2°	3.2	10.7
WBNOFM	LIC	Bryan	OH A	150.9	115	35.9 @ 139.0°	27.3	85.1
	USE	Bryan	OH A	150.9	115	35.9 @ 139.0°	3.2	10.7
267 (101.3 MHz)								
WCUZFM	APP	Grand Rapids	MI B	61.8	69	<u>-7.2 @ 19.1°</u>	49.2	18.5
WCUZFM	CP	Grand Rapids	MI B	62.6	69	<u>-6.4 @ 19.0°</u>	52.6	20.9
	USE	Grand Rapids	MI B	68.1	69	<u>-0.9 @ 29.4°</u>	3.2	1.1
WCUZFM	LIC	Grand Rapids	MI B	68.1	69	<u>-0.9 @ 29.4°</u>	49.0	18.4
268 (101.5 MHz)								
	USE	South Bend	IN B	105.8	69	36.8 @ 200.6°	3.2	0.0
WNSN	LIC	South Bend	IN B	105.8	69	36.8 @ 200.6°	42.9	4.4
WNSN	LIC	South Bend	IN B	105.8	69	36.8 @ 200.6°	52.3	5.4

This channel can be used by a class-A station.

FM Allocation Study
Forum Communications, Inc.
WQXC (FM)
Allegan, Michigan
April 1998

Mueller Broadcast Design

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La Grange, Illinois 60525

FM Channel Search for: **WZUU New Site, Otsego, MI**
Coordinates used: 42-29- 3/ 85-28-53

NOTE: All distances are in Kilometers. Any stations which clear by more than 50 KM are not included in list.

Study for channel 222-A (92.3MHz)				-----Spacing-----			--Contours--	
CH#	Call File	Location	Class	Actual	FCC	Clearance	60	Int.
221 (92.1 MHz)								
	WVHQ	LIC Dowagiac	MI A	71.8	72	-0.2 @ 221.3°	24.0	35.0
		USE Dowagiac	MI A	71.8	72	-0.2 @ 221.3°	3.2	4.5
	WWDX	LIC St. Johns	MI A	87.0	72	15.0 @ 58.3°	29.0	43.6
		USE St. Johns	MI A	87.0	72	15.0 @ 58.3°	3.2	4.5
		USE Grand Haven	MI A	88.9	72	16.9 @ 316.0°	3.2	4.5
	WGHNFM	LIC Grand Haven	MI A	88.9	72	16.9 @ 316.0°	21.4	31.0
	WCSRFM	LIC Hillsdale	MI A	93.2	72	21.2 @ 131.3°	25.2	37.4
		USE Hillsdale	MI A	93.2	72	21.2 @ 131.3°	3.2	4.5
222 (92.3 MHz)								
	WFWI	LIC Fort Wayne	IN A	154.8	115	39.8 @ 171.1°	28.7	81.9
		USE Fort Wayne	IN A	155.0	115	40.0 @ 170.4°	3.2	10.7
	WYCA	LIC Hammond	IN B	194.1	178	16.1 @ 241.4°	51.9	137.7 DA
		USE Hammond	IN B	194.1	178	16.1 @ 241.4°	3.2	10.7
	WMXD	LIC Detroit	MI B	201.3	178	23.3 @ 94.0°	50.4	134.8 DA
		USE Detroit	MI B	201.7	178	23.7 @ 94.1°	3.2	10.7
223 (92.5 MHz)								
	NEW	APP Newaygo	MI A	95.4	72	23.4 @ 343.9°	27.7	41.7
	NEW	APP Newaygo	MI A	98.2	72	26.2 @ 339.2°	28.5	43.2
	NEW	APP Newaygo	MI A	100.9	72	28.9 @ 341.9°	19.5	29.1
	NEW	APP Newaygo	MI A	100.6	72	28.6 @ 342.1°	28.5	43.2
	NEW	APP Newaygo	MI A	102.1	72	30.1 @ 341.9°	28.5	43.1
		VAC Newaygo	MI A	103.2	72	31.2 @ 342.6°	3.2	4.5
		USE Ashley	MI A	113.4	72	41.4 @ 46.1°	3.2	4.5
	WJSZ	LIC Ashley	MI A	114.5	72	42.5 @ 46.9°	25.1	36.7
224 (92.7 MHz)								
		USE Charlotte	MI A	58.7	31	27.7 @ 72.4°	3.2	1.1
	WVIC	LIC Charlotte	MI A	58.7	31	27.7 @ 72.4°	25.0	7.6
	WEVS	LIC Saugatuck	MI A	60.7	31	29.7 @ 292.0°	25.0	7.6
		USE Saugatuck	MI A	60.7	31	29.7 @ 292.0°	3.2	1.1
225 (92.9 MHz)								
	WNUFDM	LIC South Bend	IN B	114.8	69	45.8 @ 212.0°	49.5	5.1
		USE South Bend	IN B	114.8	69	45.8 @ 212.0°	3.2	0.0
	WNUFDM	CP South Bend	IN B	114.9	69	45.9 @ 212.0°	49.5	5.1
	WNUFDM	CP South Bend	IN B	114.9	69	45.9 @ 212.0°	22.5	2.3
275 (102.9 MHz)								
		USE Grand Rapids	MI B	55.1	15	40.1 @ 341.3°	3.2	0.0
	WFURFM	LIC Grand Rapids	MI B	55.1	15	40.1 @ 341.3°	51.9	5.9

This channel can be used by a class-A station.

FM Allocation Study
Forum Communications, Inc.
WZUU (FM) (Proposed Site)
Otsego, Michigan
April 1998

FM Channel Search for: WZUU Current Site, Allegan, MI
Coordinates used: 42-34-52/ 85-45-17

NOTE: All distances are in Kilometers. Any stations which clear by more than 50 KM are not included in list.

Study for channel 222-A (92.3MHz)					-----Spacing-----		--Contours--		
CH#	Call	File	Location	Class	Actual	FCC	Clearance	60	Int.
221 (92.1 MHz)									
	WGHNFM	LIC	Grand Haven	MI A	66.1	72	-5.9 @ 323.3°	21.4	31.0
		USE	Grand Haven	MI A	66.1	72	-5.9 @ 323.3°	3.2	4.5
	WVHQ	LIC	Dowagiac	MI A	69.3	72	-2.7 @ 201.0°	24.0	35.0
		USE	Dowagiac	MI A	69.3	72	-2.7 @ 201.0°	3.2	4.5
	WWDX	LIC	St. Johns	MI A	102.6	72	30.6 @ 69.9°	29.0	43.6
		USE	St. Johns	MI A	102.6	72	30.6 @ 69.9°	3.2	4.5
		USE	Hillsdale	MI A	117.4	72	45.4 @ 127.9°	3.2	4.5
	WCSRFM	LIC	Hillsdale	MI A	117.4	72	45.4 @ 127.9°	25.2	37.4
222 (92.3 MHz)									
		USE	Hammond	IN B	180.7	178	2.7 @ 234.8°	3.2	10.7
	WYCA	LIC	Hammond	IN B	180.7	178	2.7 @ 234.8°	51.9	137.7 DA
	WMXD	LIC	Detroit	MI B	224.6	178	46.6 @ 96.2°	50.4	134.8 DA
		USE	Detroit	MI B	225.0	178	47.0 @ 96.3°	3.2	10.7
223 (92.5 MHz)									
	NEW	APP	Newaygo	MI A	80.9	72	8.9 @ 356.8°	27.7	41.7
	NEW	APP	Newaygo	MI A	81.9	72	9.9 @ 351.0°	28.5	43.2
	NEW	APP	Newaygo	MI A	85.3	72	13.3 @ 354.0°	28.5	43.2
	NEW	APP	Newaygo	MI A	85.6	72	13.6 @ 353.8°	19.5	29.1
	NEW	APP	Newaygo	MI A	86.7	72	14.7 @ 353.5°	28.5	43.1
		VAC	Newaygo	MI A	88.1	72	16.1 @ 354.2°	3.2	4.5
224 (92.7 MHz)									
	WEVS	LIC	Saugatuck	MI A	35.9	31	4.9 @ 289.2°	25.0	7.6
		USE	Saugatuck	MI A	35.9	31	4.9 @ 289.2°	3.2	1.1
	WVIC	LIC	Charlotte	MI A	78.7	31	47.7 @ 84.7°	25.0	7.6
		USE	Charlotte	MI A	78.7	31	47.7 @ 84.7°	3.2	1.1
225 (92.9 MHz)									
	WNDUFM	CP	South Bend	IN B	114.8	69	45.8 @ 199.4°	49.5	5.1
		USE	South Bend	IN B	114.8	69	45.8 @ 199.4°	3.2	0.0
	WNDUFM	LIC	South Bend	IN B	114.8	69	45.8 @ 199.4°	49.5	5.1
	WNDUFM	CP	South Bend	IN B	114.8	69	45.8 @ 199.4°	22.5	2.3
275 (102.9 MHz)									
	WFURFM	LIC	Grand Rapids	MI B	41.6	15	26.6 @ 6.6°	51.9	5.9
		USE	Grand Rapids	MI B	41.6	15	26.6 @ 6.6°	3.2	0.0

This channel can be used by a class-A station.

FM Allocation Study
Forum Communications, Inc.
WZUU (FM) (Present site)
Allegan, Michigan
April 1998

Table 3**Other Primary Services in "loss area":**

<u>Callsign</u>	<u>Location</u>	<u>Ch.</u>	<u>ERP</u>	<u>HAAT</u>	<u>Coverage</u>
WBCT	Grand Rapids, MI	229B	320 KW	238 M	100%
WKLQ	Holland, MI	233B	50	152	100%
WLHT	Grand Rapids, MI	239B	40	168	90%
WVTI	Holland, MI	241B	50 DA	150	100%
WGRD-FM	Grand Rapids, MI	250B	13	180	100%
WJQK	Zeeland, MI	257A	4.7	113	60%
WCUZ-FM	Grand Rapids, MI	267B	50	128	45%
WFUR-FM	Grand Rapids, MI	275B	50	150	99%
WKFR-FM	Battle Creek, MI	277B	50	147	100%
WSNX-FM	Muskegon, MI	283B	32	189	40%
WOOD-FM	Grand Rapids, MI	289B	265	247	100%
WQLR	Kalamazoo, MI	293B	33	183	100%

These stations' primary service contours (60 or 54 dBu) and their relationship to the WZUU loss area are shown on attached figure 1. There may be other stations which provide primary service to this area, but the above illustrate more than 5 full coverage signals.

Table 4**Spacing relationship of WZUU (222A) to WQXC (265A):**

Use of channel 222A at Otsego or channel 265A at Allegan is mutually-exclusive with the currently authorized WZUU and WQXC facilities, respectively, as shown below:

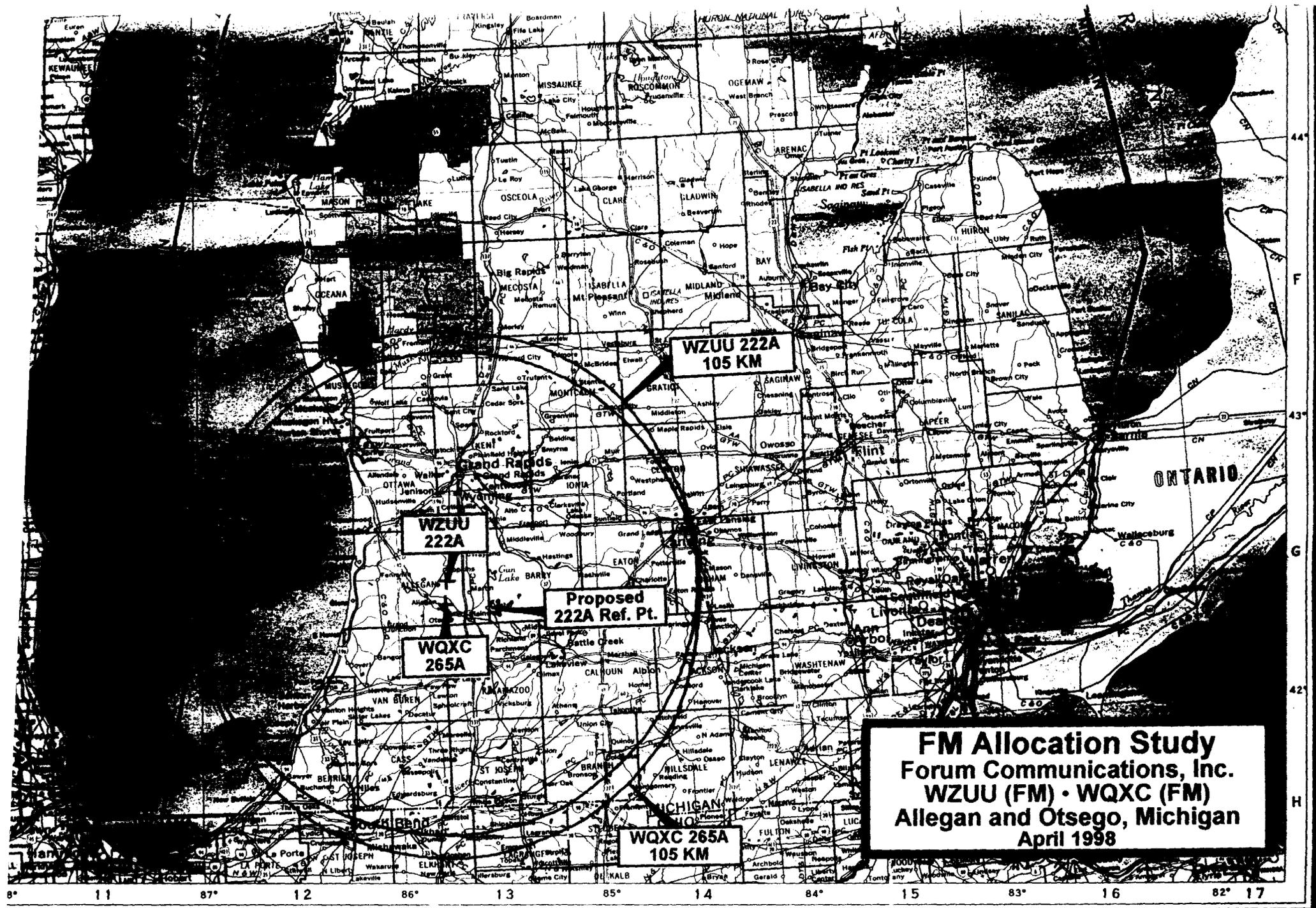
From WQXC (265A, Otsego) to WQXC (265A, Allegan):

Actual distance: 0 kilometers
FCC required distance: 115 kilometers

From WZUU (222A, Allegan) to WZUU (222A, Otsego):

Actual distance: 24.9 kilometers
FCC required distance: 115 kilometers

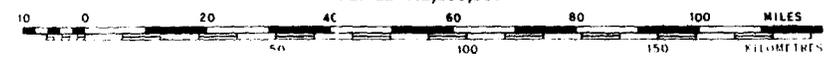
The proposed channel swap can only be accomplished by exchanging the two communities of license, modifying each for its new community, in accordance with 47 CFR 1.420(i).



FM Allocation Study
Forum Communications, Inc.
WZUU (FM) • WQXC (FM)
Allegan and Otsego, Michigan
April 1998

Albers Equal Area Projection

SCALE 1:2,000,000



INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1976

FOR SALE BY U.S. GEOLOGICAL SURVEY

RESTON, VIRGINIA 22092

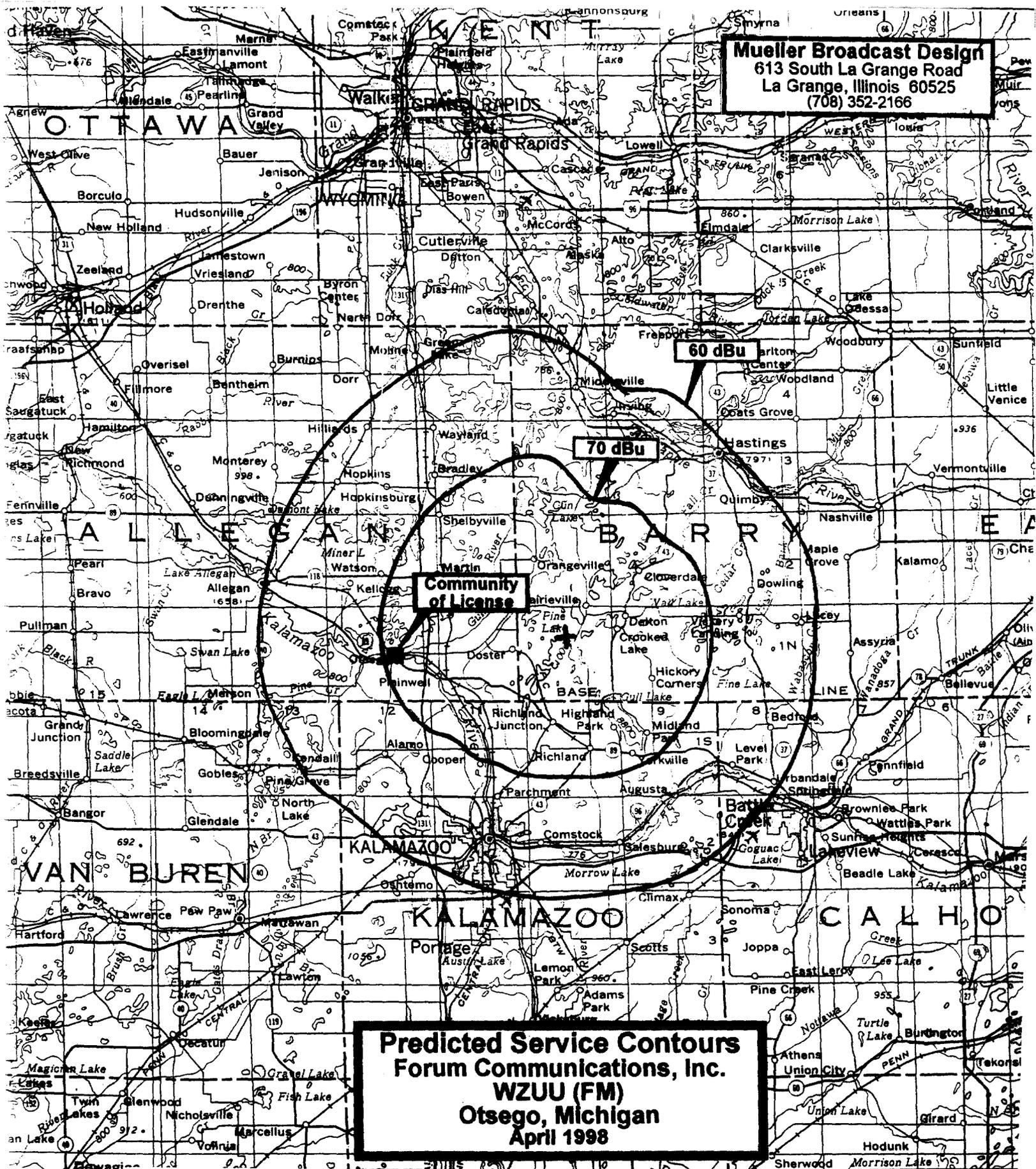
COMPILED 1967; REVISED 1972

SHEET NUMBER 18-19

Mueller Broadcast Design
613 South La Grange Road
La Grange, Illinois 60525
(708) 352-2166

Figure 2

Mueller Broadcast Design
613 South La Grange Road
La Grange, Illinois 60525
(708) 352-2166



Scale 1:500,000
1 inch equals approximately 8 miles

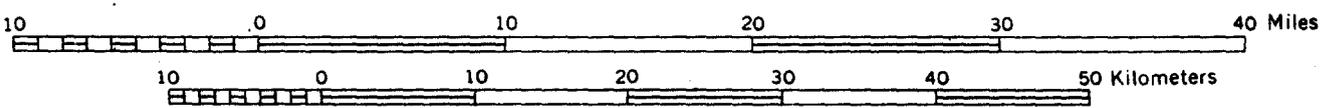
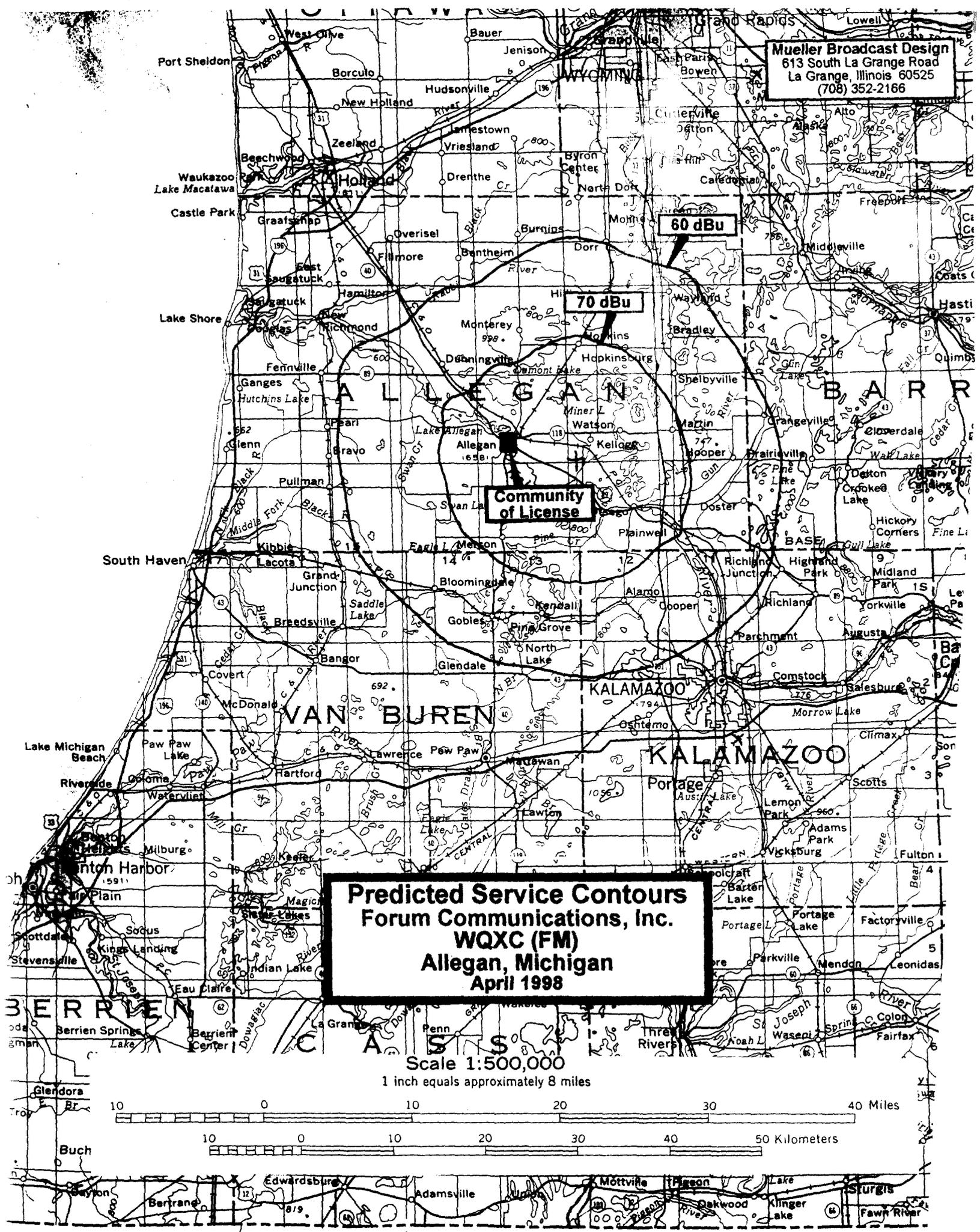


Figure 3

Mueller Broadcast Design
613 South La Grange Road
La Grange, Illinois 60525
(708) 352-2166



Figure