

Law Offices

HOLLAND & KNIGHT LLP

2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20037-3202
202-955-3000
FAX 202-955-5564
<http://www.hklaw.com>

DOCKET FILE COPY ORIGINAL

Atlanta	Northern Virginia
Boca Raton	Orlando
Fort Lauderdale	San Francisco
Jacksonville	St. Petersburg
Lakeland	Tallahassee
Mexico City	Tampa
Miami	Washington, D.C.
New York	West Palm Beach

June 30, 1998

THOMAS J. HUTTON
202-828-1892

Internet Address:
thutton@hklaw.com

VIA HAND DELIVERY

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

Re: In the Matter of Amendment of Section 73.202(b),
Table of Allotments, FM Broadcast Stations
(Casper, Wyoming)
MM Docket No. 98-59, RM-9256

Dear Ms. Salas:

Transmitted herewith, on behalf of Mount Rushmore Broadcasting, Inc., is an original and four copies of its Reply Comments in the above-captioned rule making proceeding.

An extra copy of the filing is enclosed. Please date-stamp the extra copy and return it to the courier for return to me.

If you have any questions, please contact the undersigned.

Very truly yours,

HOLLAND & KNIGHT LLP


Thomas J. Hutton
Counsel for
Mount Rushmore Broadcasting, Inc.

tjh;ewd
Enclosure

No. of Copies rec'd 074
List ABCDE

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

7/15/98

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 98-59
Table of Allotments,)	RM-9256
FM Broadcast Stations)	
(Casper, Wyoming))	

To: Chief, Allocations Branch

REPLY COMMENTS

I. INTRODUCTION.

1. Mount Rushmore Broadcasting, Inc. ("Mount Rushmore"), by its attorneys, files these Reply Comments to the Counterproposal filed by Mountain States Radio, Inc. ("Mountain States") on June 15, 1998, which was filed as a Counterproposal with respect to the Notice of Proposed Rule Making ("NPRM") released by the Allocations Branch on April 24, 1998 (DA 98-771). The NPRM, issued at the request of Citicasters Co. ("Jacor"), proposes to allot Channels 228C1, 243C1, and 263C1 to Casper, Wyoming as that community's eighth, ninth, and tenth local commercial FM stations. Mountain States, in its Counterproposal, proposes the allotment of Channel 228C1 to Guernsey, Wyoming; Channel 242C to Lusk, Wyoming; and Channel 262C to Sinclair, Wyoming.

2. The Mountain States Counterproposal is preferable to Jacor's initial proposal, as reflected in the NPRM. However, Mount Rushmore respectfully urges the Commission to reexamine its FM allocation policy, so as to better serve the public interest. In conjunction with the Commission's pending rule making on auction procedures for mutually exclusive commercial broadcast license applications (*Notice of Proposed Rule Making*, MM Docket 97-234, GC Docket

No. 92-52, GEN Docket No. 90-264 (rel. Nov. 26, 1997)) and with its notice of inquiry on the broadcast ownership rules (*Notice of Inquiry*, MM Docket No. 98-35 (rel. Mar. 13, 1998)), the Commission should institute a notice of inquiry to determine (1) whether the current FM allocation policy continues to meet the Commission's obligation under Section 307(b) of the Communications Act of 1934 (the "Act"), as amended, and (2) whether the policy has been detrimental to the enhancement of minority ownership of FM broadcast stations. In the meantime, the Commission should cease application of its FM allocation policy. Alternatively, if the Commission nonetheless decides to apply its current FM allocation policy here, then Mount Rushmore proposes to allot Channel 228A to Lusk and Elk Mountain, Wyoming; Channel 243A to Medicine Bow and Manville, Wyoming; and Channel 263A to Encampment, Wyoming and Channel 263C1 to Fort Washakie, Wyoming.

II. THE COMMISSION SHOULD INSTITUTE A NOTICE OF INQUIRY TO EVALUATE WHETHER THE CURRENT FM ALLOCATION POLICY CONTINUES TO MEET THE COMMISSION'S OBLIGATION UNDER SECTION 307(b) OF THE ACT AND WHETHER THE POLICY HAS BEEN DETRIMENTAL TO THE ENHANCEMENT OF MINORITY OWNERSHIP OF FM BROADCAST STATIONS.

3. The FM Table of Assignments ("FM Table") is intended to allow the Commission to meet its obligation under Section 307(b) of the Act to provide a "fair, efficient and equitable distribution of radio service" to the various states and the communities within them. The Commission has stated that the objectives to be served by the FM Table are:

- * Provision of some service of satisfactory signal strength to all of the country;
- * Provision of as many program choices to as many listeners as possible; and
- * Service of local origin to as many communities as possible.

Second Report and Order, 90 F.C.C. 2d 88, 89 (1982).

4. In its *Second Report and Order*, in response to the growing demand for FM channels, the Commission reevaluated its original FM priorities (adopted in 1961) and adopted new, updated FM priorities to evaluate conflicting allocation proposals. The priorities are:

- "(1) First full-time aural service.
- (2) Second full-time aural service.
- (3) First local service.
- (4) Other public interest matters.

[Co-equal weight would be given to priorities (2) and (3)]."

Second Report and Order, 90 F.C.C. 2d at 91.

5. Mount Rushmore urges the Commission to again reevaluate and update its FM priorities. In the current environment of high demand for and low supply of FM channels everywhere, the existing FM allocation policy no longer meets the Commission's obligation under Section 307(b), nor serves the objectives of the FM Table. In particular, the Commission's application of the current FM priorities to conflicting allocation proposals have resulted in inadequate attention to local service and the needs of smaller, rural communities.

6. Indeed, in cases involving conflicting proposals, the existing FM priorities favor large, urban areas over smaller, rural communities. For example, under the Commission's current FM allocation policy, in cases involving a choice between second aural and first local services or between two first local services, preference would be given to the larger, more populous community, leaving the smaller communities underserved. See *Second Report and Order*, 90 F.C.C. 2d at ¶ 11; *St. Marks and Woodville, Florida*, 12 FCC Rcd 11957 (Alloc. Branch 1997).

7. This diminished emphasis on local service has been further exacerbated by the passage of the Telecommunications Act of 1996 (the "1996 Act") which eliminated the numerical cap on national radio station ownership and increased the numerical limits on local radio station ownership. Since then, the nation's largest radio groups, including Jacor, have been acquiring, through mergers and acquisitions, radio stations in mid-sized and small markets. As a result, corporations based in large, urban areas now run stations in these smaller communities that were previously operated by local owners and local station managers. Such consolidation will lead to a lack of diversity and inadequate attention to local service.

8. The institution of auctions for contested FM cases is another recent development that makes it appropriate to reexamine the Commission's FM allocation policy. Now that the auction process will be used to select the party that will use a particular channel, it is more important than ever to make sure that channels are allocated to the appropriate communities. The Commission's system of adding channels through petitions by parties such as Jacor should be suspended and reexamined in light of current conditions, including the new auction procedure. Accordingly, the Commission should institute a notice of inquiry to determine whether its current FM allocation policy meets the Commission's obligation under Section 307(b) of the Act.

9. In addition, the Commission's existing FM allocation policy may be detrimental to the enhancement of minority ownership of FM broadcast stations because the current policy favors incumbent station owners and large radio groups that have the knowledge, resources and financial means to institute a petition for rule making to amend the FM Table, to apply for a construction permit, and then to participate in an auction for the new FM station.

10. This proceeding, initiated by Jacor, is a good example of this process at work. Neither Jacor nor Mountain States proposed to provide any new channels to communities with a significant minority population. Mount Rushmore, on the other hand, shows that one of the channels in question could be allocated to Fort Washakie, a community of 1334 on the Wind River Indian Reservation. At present, communities such as Fort Washakie, with large minority populations, are effectively "redlined" from the radio industry, in part because the Commission's current allocation procedure favors incumbent broadcasters such as Jacor and Mountain States. The Commission needs to reexamine its policy, which contributes to the lack of service by broadcast stations to minority communities and the low representation of minorities in the broadcast industry.

11. In his speech to the NAB Convention in April 1998, Chairman Kennard reported that he was "dismayed to see that minority broadcast ownership was a mere 3.1% in 1996. This year that's dropped to 2.8%." With respect to radio stations, in particular, the number of minority-owned commercial radio stations declined from 312 in 1995 to 284 in 1996/97. *See* Minority Commercial Broadcast Ownership in the U.S., a report of the Minority Telecommunications Development Program, National Telecommunications and Information Administration (August 1997).

12. The Commission has a statutory obligation under Section 309(j) of the Act as well as an historic commitment to encouraging minority participation in the telecommunications industry. Indeed, in his recent speech at the NAB Convention, Chairman Kennard issued a challenge to the broadcast industry to "develop ideas to promote opportunity for ownership by minorities and women within the broadcast industry."

13. Accordingly, Mount Rushmore proposes that the Commission institute a notice of inquiry to determine whether its current FM allocation policy has been detrimental to the enhancement of minority ownership of FM stations and to explore ways to foster opportunities in broadcast ownership for minorities and women. The Commission has an obligation to act now and, in the interim, to cease application of its current FM allocation policy.

III. CHANNEL 228A, LUSK AND ELK MOUNTAIN, WYOMING IS THE PREFERRED ALLOCATION.

14. In the event the Commission decides to proceed with this particular rule making, Mount Rushmore proposes the allotment of Channel 228A to Lusk and Elk Mountain, Wyoming, which will provide a first local service for each community. Mount Rushmore's proposal is the preferred allocation because it would provide a first local service to two communities, whereas, Mountain States' proposed allotment of Channel 228C1 to Guernsey, Wyoming would provide a first local service to only one community. As demonstrated in the Engineering Statement attached hereto as Exhibit E, Channel 228A may be assigned to Lusk and Elk Mountain, Wyoming in full compliance with Section 73.202(b) of the Commission's rules. If Mount Rushmore's proposal is adopted, Mount Rushmore will apply for construction permits for Channel 228A.

15. Lusk is an incorporated community with a population of 1,504, as designated by the U.S. Census.¹ Lusk is the county seat of Niobrara County which has a population of 2,499. Lusk has its own mayor, town council, town hall and chamber of commerce. The community also has its own post office and zip code, 3 schools, 1 public library, 2 banks, a

¹ Hereinafter, all population data are based on the 1990 U.S. Census.

local newspaper, 8 churches, a police department, a voluntary fire department, several social and civic organizations, and approximately 50 businesses. Lusk is an underserved community and has a need for a daily resource for information on current civic, cultural and school issues and events that could be provided by a local radio station.

16. Elk Mountain is an incorporated community in a rural area. The U.S. Census designates Elk Mountain as a community and credits it with a population of 174 people. Elk Mountain has a mayor, town council, town hall, its own post office and zip code, an elementary school, a convenience store/cafe, a historic hotel, a church, a volunteer fire department, and several social and civic organizations. Channel 228A would provide a first local broadcast facility to this underserved community. The allotment of an FM channel at Elk Mountain would provide not only an outlet for local expression but also would provide the Elk Mountain area with information, such as road closures, during emergency conditions caused by severe weather.

17. Where, as here, the first two FM priorities are not implicated, the Commission must be guided by FM priority 3, first local service. The allotment of Channel 228A to Lusk and Elk Mountain, Wyoming or the allotment of Channel 228C1 to Guernsey, Wyoming would provide a first local service to each community, fulfilling FM priority 3. However, Mount Rushmore's proposal would provide a first local service to two communities rather than to only one community as proposed by Mountain States. Mount Rushmore's proposal also would result in a more efficient use of the channels by allotting Channel 228A to two communities, Lusk and Elk Mountain, Wyoming, rather than only to Guernsey as proposed by Mountain States. Further, the combined populations of Lusk and Elk Mountain (1,674) is

greater than the population of Guernsey (1,155). Accordingly, the public interest favors the grant of Mount Rushmore's proposal which would provide first local service to two communities and also to the most people.

IV. CHANNEL 243A, MEDICINE BOW AND MANVILLE, WYOMING IS THE PREFERRED ALLOCATION.

18. Mount Rushmore proposes the allotment of Channel 243A to Medicine Bow and Manville, Wyoming, which will provide a first local service for each community. Mount Rushmore's proposal is the preferred allocation because it would provide a first local service to two communities, whereas, Mountain States' proposed allotment of Channel 242C to Lusk, Wyoming would provide a first local service to only one community. As demonstrated in the Engineering Statement attached here to as Exhibit E, Channel 243A may be assigned to Medicine Bow and Manville, Wyoming in full compliance with Section 73.202(b) of the Commission's rules. If Mount Rushmore's proposal is adopted, Mount Rushmore will apply for construction permits for Channel 243A.

19. Medicine Bow is a community designated by the U.S. Census, with a population of 389 people. Medicine Bow is an incorporated community, governed by an elected mayor and has a town council and a town hall. The community has its own post office, zip code, and fire department and is not located in an urbanized area. Further, Medicine Bow has an elementary school, a public library, 4 churches, a grocery store, 3 cafes, 3 bars, 1 motel, the historic Virginia Hotel, and several social and civic organizations.

20. The community of Manville is incorporated in a rural area of Wyoming. The U.S. Census designates Manville as a community and credits it with a population of 97 people. Manville has a mayor, town council, town hall, its own post office and zip code, 2

small businesses, a church, and several social and civic organizations. Channel 243A would provide a first local broadcast facility to this underserved community. The allotment of an FM channel at Manville would provide not only an outlet for local expression but would also provide the Manville area with information during emergency conditions caused by severe weather.

21. FM priority 3, first local service, is implicated here. The allotment of Channel 243A to Medicine Bow and Manville, Wyoming or the allotment of Channel 242C1 to Lusk, Wyoming would provide a first local service to each community, fulfilling FM priority 3. However, the allotment of Channel 243A to Medicine Bow and Manville, Wyoming would provide a first local service to two communities rather than to only one community, Lusk, Wyoming, as proposed by Mountain States. Also, Mount Rushmore's proposal would result in a more efficient use of the channels by allotting Channel 243A to two communities rather than to only one community as proposed by Mountain States. Accordingly, because Mount Rushmore's proposal would better serve the public interest, the Commission should allot Channel 243A to Medicine Bow and Manville, Wyoming.

V. CHANNEL 263A, ENCAMPMENT AND CHANNEL 263C1, FORT WASHAKIE, WYOMING IS THE PREFERRED ALLOCATION.

22. Mount Rushmore proposes to allot Channel 263A to Encampment, Wyoming and Channel 263C1 to Fort Washakie, Wyoming, which will provide a first local service to each community. Mount Rushmore's proposal is the preferred allocation because it would provide a first local service to two communities, whereas, Mountain States' proposed allotment of Channel 262C to Sinclair, Wyoming would provide a first local service to only one community. As demonstrated in the Engineering Statement attached here to as Exhibit E,

Channel 263A may be assigned to Encampment, Wyoming and Channel 263C1 may be assigned to Fort Washakie, Wyoming in full compliance with Section 73.202(b) of the Commission's rules. If the Commission allots Channel 263A to Encampment and Channel 263C1 to Fort Washakie, Mount Rushmore will apply for the channels.

23. Encampment (also known as Grand Encampment) is an incorporated community and is credited by the U.S. Census with a population of 490. Encampment has its own post office and zip code and the population within the zip code is 946. Encampment is governed by an elected mayor and has a town council and a town hall. The community of Encampment also has its own fire and police departments as well as 4 churches, 1 school, 20-25 businesses, and several social and civic organizations. Encampment is an underserved community and has a need for a daily resource for information on current civil, cultural and school issues and events that could be provided by a local radio station.

24. Fort Washakie is a U.S. Census designated community with a population of 1334. Fort Washakie is part of the Wind River Indian Reservation which is governed by a tribal council. The community of Fort Washakie has its own post office, zip code, police and fire departments, 1 school, 8-14 businesses, 10-20 churches, and several social and civic organizations. This underserved community is deserving of its own local radio station which would provide daily information on local tribal issues and events.

25. FM priority 3, first local service, is again implicated here. The allotment of Channel 263A to Encampment and Channel 263C1 Fort Washakie, or the allotment of Channel 262C to Sinclair would provide a first local service to each community, fulfilling priority 3. However, Mount Rushmore's proposal would provide a first local service to two

communities rather than to only one community as proposed by Mountain States. Mount Rushmore's proposal also would result in a more efficient use of the channels by allotting channels to two communities rather than only to one community as proposed by Mountain States. Further, the combined populations of Encampment and Fort Washakie (1,824) is greater than the population of Sinclair (500). The public interest would best be served by allotting Channel 263A to Encampment and Channel 263C2 to Fort Washakie, since first local service would be provided to two communities and also to the most people. Accordingly, the Commission should adopt Mount Rushmore's proposal.

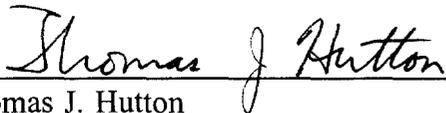
VI. CONCLUSION.

For the reasons stated above, Mount Rushmore respectfully requests that the Commission institute a notice of inquiry to determine (1) whether the current FM allocation policy continues to meet the Commission's obligation under Section 307(b) of the Act, and (2) whether the policy has been detrimental to the enhancement of minority ownership of FM broadcast stations. In the meantime, the Commission should cease application of its FM allocation policy. If, however, the Commission nonetheless decides to apply its current FM allocation policy here, then Mount Rushmore respectfully requests that the Commission adopt its proposal and allot Channel 228A

to Lusk and Elk Mountain, Wyoming; Channel 243A to Medicine Bow and Manville, Wyoming;
and Channel 263A to Encampment, Wyoming and Channel 263C1 to Fort Washakie, Wyoming.

Respectfully submitted,

Mount Rushmore Broadcasting, Inc.



Thomas J. Hutton
Patricia Y. Lee

Its Attorneys

Holland & Knight LLP
2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20037
(202) 955-3000

June 30, 1998

WASI-361585

CERTIFICATE OF SERVICE

I, Ellen Dorsey, an employee of Holland & Knight LLP, hereby certify that on June 30, 1998, a copy of the foregoing Reply Comments of Mount Rushmore Broadcasting, Inc. was served by first class U.S. Mail, postage prepaid, to the following:

Marrissa G. Repp, Esq.
Cindy D. Jackson, Esq.
Hogan & Hartson, L.L.P.
Columbia Square
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109

Attorneys for Citicasters Co.

A. Wray Fitch III, Esq.
Gammon & Grange, P.C.
8288 Greensboro Drive, 7th Floor
McLean, VA 22102-3807

Attorney for Mountain States Radio, Inc.


Ellen Dorsey

EXHIBIT E
ENGINEERING STATEMENT RE:
MODIFICATION OF THE FM TABLE OF ALLOTMENTS
MM DOCKET No. 98-59
MT. RUSHMORE BROADCASTING, INC.
CASPER, WYOMING

INTRODUCTION

This statement was prepared on behalf of Mt. Rushmore Broadcasting, Inc. ("Mt. Rushmore"). It is presented in support of a counter proposal to the proposed modification of Section 73.202(b) of the Rules of the Federal Communications Commission (FCC Rules) in the above referenced Docket.

COUNTER PROPOSAL AND ALLOCATION STUDY

The following additions to the FCC table of Allotments, Section 73.202(b) are proposed:

Channel 243A --	Manville, Wyoming
Channel 228A --	Lusk, Wyoming
Channel 243A --	Medicine Bow, Wyoming
Channel 228A --	Elk Mountain, Wyoming
Channel 263A --	Grand Encampment, Wyoming
Channel 263C1 --	Fort Washakie, Wyoming

An allocation separation study has been conducted for each of the above allotments. Attached as Figures 1 through 6 are the study results for the six communities respectively. The proposed allotments were all found to comply with the minimum distance separations specified in Section 73.207 of the FCC Rules from the assumed allocation coordinates specified for each community. The assumed allotment sites meet the requirements of Section 73.315(a) of the FCC Rules.

Respectfully Submitted,
Lohnes and Culver



by Robert D. Culver, P.E.
Md. Reg. No. 19672
June , 1998

**FIGURE 1
FM ALLOCATION STUDY
RE: PROPOSED ADDITION OF
CHANNEL 243A TO MANVILLE, WYOMING**

<u>CHANNEL</u>	<u>STATION</u>			<u>DISTANCE SEPARATION IN KM</u>	
	<u>CALL</u>	<u>CLASS</u>	<u>CITY, STATE</u>	<u>ACTUAL</u> ⁽¹⁾	<u>REQUIRED</u> ⁽²⁾
240	No stations within required separation plus 50 kilometers				
241	No stations within required separation plus 50 kilometers				
242	No stations within required separation plus 50 kilometers				
243	PADD.	C1	Casper, WO.	137	200 ⁽³⁾
243	APPL.	C	Julesburg, CO.	282	226
244	KZMX-FM	C2	Hot Springs, SD.	120	106
245	KCMI	C1	Terrytown, NE.	142	75
246	No stations within required separation plus 50 kilometers				
296	No stations within required separation plus 50 kilometers				
297	No stations within required separation plus 50 kilometers				

Assumed Allotment site coordinates: 42° 46' 42" 104° 37' 00"

- Notes:
- (1) Calculated distance separation between stations in accordance with Section 73.208 of the FCC Rules.
 - (2) Required minimum distance separation between stations per Section 73.207 of the FCC Rules.
 - (3) Mutually exclusive pending Allocation D98-59.

**FIGURE 2
FM ALLOCATION STUDY
RE: PROPOSED ADDITION OF
CHANNEL 228A TO LUSK, WYOMING**

<u>CHANNEL</u>	<u>STATION</u>		<u>CITY, STATE</u>	<u>DISTANCE SEPARATION IN KM</u>	
	<u>CALL</u>	<u>CLASS</u>		<u>ACTUAL⁽¹⁾</u>	<u>REQUIRED⁽²⁾</u>
225	KMOR	C	Scotts Bluff, NE.	115	95
226			No stations within required separation plus 50 kilometers		
227			No stations within required separation plus 50 kilometers		
228	PADD	C1	Casper, WY.	158	200 ⁽³⁾
228	ALLOC.	A	Pine Ridge, SD.	157	115
229			No stations within required separation plus 50 kilometers		
230			No stations within required separation plus 50 kilometers		
231			No stations within required separation plus 50 kilometers		
281			No stations within required separation plus 50 kilometers		
282			No stations within required separation plus 50 kilometers		

Assumed Allotment site coordinates: 42° 45' 42" 104° 27' 06"

- Notes:
- (1) Calculated distance separation between stations in accordance with Section 73.208 of the FCC Rules.
 - (2) Required minimum distance separation between stations per Section 73.207 of the FCC Rules.
 - (3) Mutually exclusive pending Allocation D98-59.

**FIGURE 3
FM ALLOCATION STUDY
RE: PROPOSED ADDITION OF
CHANNEL 243A TO MEDICINE BOW, WYOMING**

<u>CHANNEL</u>	<u>STATION</u>			<u>DISTANCE SEPARATION IN KM</u>	
	<u>CALL</u>	<u>CLASS</u>	<u>CITY, STATE</u>	<u>ACTUAL⁽¹⁾</u>	<u>REQUIRED⁽²⁾</u>
240	No stations within required separation plus 50 kilometers				
241	No stations within required separation plus 50 kilometers				
242	No stations within required separation plus 50 kilometers				
243	PADD	C1	Casper, WY.	103	200 ⁽³⁾
	KQSW	C	Rock Springs, WY.	248	226
	KXPX	C	Evergreen, CO.	254	226
244	APPL.	A	Laramie, WY.	83	72 ⁽⁴⁾
245	No stations within required separation plus 50 kilometers				
246	No stations within required separation plus 50 kilometers				
296	No stations within required separation plus 50 kilometers				
297	No stations within required separation plus 50 kilometers				

Assumed Allotment site coordinates: 41° 53' 54" 106° 12' 12"

- Notes:
- (1) Calculated distance separation between stations in accordance with Section 73.208 of the FCC Rules.
 - (2) Required minimum distance separation between stations per Section 73.207 of the FCC Rules.
 - (3) Mutually exclusive pending Allocation D98-59.
 - (4) Closest of four pending applications.

**FIGURE 4
FM ALLOCATION STUDY
RE: PROPOSED ADDITION OF
CHANNEL 228A TO ELK MOUNTAIN, WYOMING**

<u>CHANNEL</u>	<u>STATION</u>			<u>DISTANCE SEPARATION IN KM</u>	
	<u>CALL</u>	<u>CLASS</u>	<u>CITY, STATE</u>	<u>ACTUAL⁽¹⁾</u>	<u>REQUIRED⁽²⁾</u>
225	No stations within required separation plus 50 kilometers				
226	No stations within required separation plus 50 kilometers				
227	KTCL	C	Fort Collins, CO.	218	165
228	PADD.	C1	Casper, WY.	123	200 ⁽³⁾
229	KRAI-FM	C1	Craig, CO.	159	133
230	PADD.	A	Rock River, WY.	37	31

Assumed Allotment site coordinates: 41° 41' 18" 106° 24' 54"

- Notes:
- (1) Calculated distance separation between stations in accordance with Section 73.208 of the FCC Rules.
 - (2) Required minimum distance separation between stations per Section 73.207 of the FCC Rules.
 - (3) Mutually exclusive pending Allocation D98-59.

Prepared by
Lohnes and Culver Washington, D.C.
June, 1998

**FIGURE 5
FM ALLOCATION STUDY
RE: PROPOSED ADDITION OF
CHANNEL 263A TO GRAND ENCAMPMENT, WYOMING**

<u>CHANNEL</u>	<u>STATION</u>			<u>DISTANCE SEPARATION IN KM</u>	
	<u>CALL</u>	<u>CLASS</u>	<u>CITY, STATE</u>	<u>ACTUAL</u> ⁽¹⁾	<u>REQUIRED</u> ⁽²⁾
209	No stations within required separation plus 50 kilometers				
210	No stations within required separation plus 50 kilometers				
260	No stations within required separation plus 50 kilometers				
261	No stations within required separation plus 50 kilometers				
262	KIMN	C	Denver, CO.	212	165
263	PADD.	C1	Casper, WY.	175	200 ⁽³⁾
264	KOLZ	C1	Cheyenne, WY.	143	133
265	No stations within required separation plus 50 kilometers				
266	PADD.	C	Wamsutter, WY.	98	95

Assumed Allotment site coordinates: 41° 12' 30" 106° 42' 15"

- Notes:
- (1) Calculated distance separation between stations in accordance with Section 73.208 of the FCC Rules.
 - (2) Required minimum distance separation between stations per Section 73.207 of the FCC Rules.
 - (3) Mutually exclusive pending Allocation D98-59.

Prepared by
Lohnes and Culver Washington, D.C.
June, 1998

**FIGURE 6
FM ALLOCATION STUDY
RE: PROPOSED ADDITION OF
CHANNEL 263C1 TO FORT WASHAKIE, WYOMING**

<u>CHANNEL</u>	<u>STATION</u>			<u>DISTANCE SEPARATION IN KM</u>	
	<u>CALL</u>	<u>CLASS</u>	<u>CITY, STATE</u>	<u>ACTUAL</u> ⁽¹⁾	<u>REQUIRED</u> ⁽²⁾
209	No stations within required separation plus 50 kilometers				
210	No stations within required separation plus 50 kilometers				
260	No stations within required separation plus 50 kilometers				
261	No stations within required separation plus 50 kilometers				
262	KZMQ-FM	C	Greybull, WY.	215	209
263	PADD.	C1	Casper, WY.	207	245 ⁽³⁾
263	KRIC	C1	Rexburg, ID.	261	245
264	No stations within required separation plus 50 kilometers				
265	No stations within required separation plus 50 kilometers				
266	KPIN	A	Pinedale, WY.	82	75

Assumed Allotment site coordinates: 43° 00' 12" 108° 52' 54"

- Notes:
- (1) Calculated distance separation between stations in accordance with Section 73.208 of the FCC Rules.
 - (2) Required minimum distance separation between stations per Section 73.207 of the FCC Rules.
 - (3) Mutually exclusive pending Allocation D98-59.