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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 14, 1998

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Amendment of Section 73.202(b),
FM Table of Allotments
(Sheridan, Wyoming and Colstrip, Montana)
MM Docket No. 98-134; RM-9271

Dear Ms. Salas:

Transmitted herewith on behalf of Community Media, Inc. is an original and four copies of its Comments in support of the amendment of the FM Table of Allotments to substitute Channel 229C for Channel 243C3 at Sheridan, Wyoming, and the modification of the construction permit of KYTI(FM) to specify operation on Channel 229C (FCC File No. BPH-980211IE); and the substitution of equivalent Channel 258A for Channel 229A at Colstrip, Montana, and the amendment, with cut-off protection, of the pending application for construction permit at Colstrip, Montana filed by Brian M. Encke (FCC File No. BPH-970731MK) to specify Channel 258A.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,

Patricia M. Chuh
John F. Garziglia

Enclosure

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket NO. 98-134
Table of Allotments) RM-9271
FM Broadcast Stations)
(Sheridan, Wyoming and)
Colstrip, Montana))

To: Chief, Allocations Branch

COMMENTS

Community Media, Inc. ("CMI"), the licensee of KYTI(FM), Sheridan, Wyoming, by its attorneys and pursuant to the Notice of Proposed Rule Making, DA 98-1426, MM Docket No. 98-134, RM-9271, released July 24, 1998 ("NPRM"), hereby submits its comments in support of the substitution of Channel 229C for Channel 243C3 at Sheridan, Wyoming and the modification of the KYTI(FM) construction permit^{1/} to specify operation on Channel 229C (FCC File No. BPH-980211IE).^{2/} In order to accommodate this non-adjacent upgrade, CMI also supports the substitution of equivalent Channel 258A for Channel 229A at Colstrip, Montana and the amendment, with cut-off protection, of the pending

^{1/} CMI seeks the modification of the recently granted construction permit for KYTI (FCC File No. BPH-980211IE) with reference coordinates 44-37-20 North Latitude and 107-06-57 West Longitude, of which an application for license to cover has not yet been filed.

^{2/} The NPRM specified a deadline date of September 14, 1998 for the filing of comments. Accordingly, these comments are timely filed.

application for construction permit at Colstrip, Montana filed by Brian M. Encke ("Encke") (FCC File No. BPH-970731MK) to specify Channel 258A. The following is respectfully submitted for the Commission's consideration:

1. CMI hereby incorporates by reference its April 21, 1998 Petition for Rule Making filed in this proceeding and re-certifies that it has a present intention to apply for Channel 229C at Sheridan, Wyoming when allotted, and when authorized to build the modified facilities of KYTI(FM) promptly and commence operation on Channel 229C.

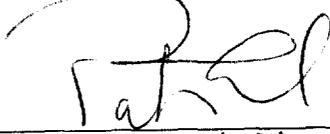
2. Although the application for construction permit for Channel 229A at Colstrip, Montana filed by Encke (FCC File No. BPH-970731MK) is still pending before the Commission, CMI hereby further certifies that it will reimburse Encke for the reasonable costs incurred in changing frequencies to Channel 258A, in the event that a construction permit is issued by the Commission for Channel 229A at Colstrip, Montana prior to the finalization of this proceeding.

WHEREFORE, for the reasons above, the Commission should substitute Channel 229C for Channel 243C3 at Sheridan, Wyoming and modify the construction permit of KYTI(FM), Sheridan, Wyoming to specify operation on Channel 229C (FCC File No. BPH-980211IE); and substitute equivalent Channel 258A for Channel 229A at Colstrip, Montana and require the amendment, with cut-off protection, of the pending application for construction permit at

Colstrip, Montana filed by Brian M. Encke (FCC File No. BPH-970731MK) to specify Channel 258A.

Respectfully submitted,

COMMUNITY MEDIA, INC.

By: 

John F. Garziglia
Patricia M. Chuh
Its Attorneys

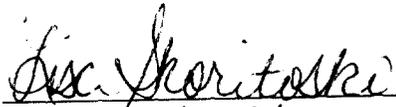
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September 14, 1998

CERTIFICATE OF SERVICE

I, Lisa Skoritoski, a secretary in the law firm of Pepper & Corazzini, L.L.P., certify that the foregoing Comments were mailed on this 14th day of September, 1998 to the following by first class mail, postage prepaid.

Brian M. Encke
1503 Copperville Road
Cheyenne, WY 82001



Lisa Skoritoski