

0926, 117 c.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Received & Inspected

JUL 29 2015

FCC Mail Room

In the Matter of:)
)
Table of Allotments,) RM- _____
FM Broadcast Stations)
(Central Heights-Midland City, Claypool,)
Show Low and Pine Top, Arizona)

To: Secretary
ATTN: Media Bureau (Audio)

DOCKET FILE COPY ORIGINAL

PETITION FOR RULEMAKING

1TV.COM, Inc., (1TV), licensee of commercial radio station KIKO-FM Claypool, Arizona (FACID 11894, "KIKO") by its counsel, and pursuant to Section 1.402 and 1.420 of the Commission's rules herein petitions the Commission institute a rule making proceeding to allot channel 247C3 as a new nonreserved vacant allotment for the proposed community license of Central Heights-Midland City, Arizona, as that community's first local radio broadcast service. In order to accommodate this new allotment, the Commission is also requested to change the channel of station KIKO-FM from 247C2 to 243C2 as is proposed in pending Form 301 minor change in licensed facilities, FCC File No. BPH-20150529AAA (the "KIKO Application"), as well as certain other changes as are set forth herein and/or in the KIKO Application. Accordingly, this rule making proposal along with the KIKO Application and related changes should be considered together as a single, related hybrid proceeding.

No. of Copies rec'd 0+4
List ABCDE
MB-Audio 15-09

In support of this Petition for Rule Making (the "Petition"), KIKO respectfully submits the following:¹

With respect to KIKO, this Petition and the KIKO Application are filed in accordance with Section 1.420 of the Commission's rules, which permit the modification of a station's authorization to specify a non-adjacent channel.

SUMMARY OF PROPOSED CHANGES. By this Petition and the KIKO Application, 1TV proposes to:

- (a) To Allot channel 247C3 at a first local service at Central Heights-Midland City, Arizona
- (b) To accommodate the allotment of CH247C3 at Central Heights-Midland City, Arizona, this Petition and the KIKO Application request the change in channel for station KIKO-FM Claypool, Arizona, from CH247C2 to CH243C2.
- (c) To accommodate the change of channel of station KIKO-FM, this Petition and the KIKO Application also request a change in channel for station KRFM(FM) Channel 243C, Show Low, Arizona (FACID 33692, "KRFM") to channel 295C at the station's licensed tower site, and 1TV requests that the Commission issue an order to show cause to the licensee of KRFM regarding same.
- (d) To accommodate the change of channel of station KIKO-FM, this Petition and the KIKO Application also request a change in channel for station KNKI(FM) Channel 294C1 Pine Top, Arizona (FACID 78413, "KNKI") to channel 253C1 at the station's licensed tower site, and 1TV requests that the Commission issue an order to show cause to the licensee of KNKI regarding same.

1TV submits that the changes proposed herein and in the KIKO Application result in a preferential arrangement of allotments and station assignments, would serve the public interest, and therefore should be granted.

¹ This Petition and the KIKO Application are further supported by the Technical Exhibits prepared by RF Engineers, Inc., a copy of which is attached hereto.

Proposed New Vacant Allotment for Central Heights-Midland City, Arizona.

This Petition will benefit the public interest by the proposed vacant new channel 247C3 for the proposed community of license of Central Heights-Midland City, Arizona, at the fully-spaced reference coordinates 33 degrees, 17 minutes, 20 seconds north latitude and 110 degrees, 49 minutes, 45 seconds west longitude. From the proposed allocation reference site, Channel 247C3 meets the Commission's minimum distance separation requirements of Section 73.207 to all domestic, licensed, proposed, or applied for facilities. Central Heights-Midland City is a community suitable for allotment purposes. It is listed in the 2010 United States census as a census designated place with a population of 2534 people. In addition, local businesses identify with Central Heights by incorporating the community in their name, such as the Baptist Church of Central Heights and the Bank of the West, Central Heights Branch. Central Heights-Midland City is served by a number of other businesses consistent with a community of this size. According to CDBS, no other radio or other broadcast station is licensed or allocated to Central Heights-Midland City. Therefore, the proposed new vacant allotment proposed a first local radio transmission service for the community under allotment priority (3). 1TV hereby certifies that if the proposed new allotment of Channel 247C3 to Central Heights-Midland City, is made as requested herein, 1TV intends to apply for Commission authorization to construct the station. 1TV has, contemporaneously with this Petition, filed a Form 301 application for a construction permit for the proposed allotment and is paying the requested application filing fee. 1TV will file and qualify to bid for the construction permit at the Commission auction for same. If successful in acquiring the permit 1TV will promptly construct the new facility.

Proposed Channel Change for KIKO-FM Claypool, Arizona. This Petition and the KIKO Application request a change in channel for station KIKO-FM from its current Chanel 247C2 to Channel 243C2 at its licensed transmitter site coordinates. This channel substitution will serve the public interest in several ways. It accommodates the allotment of channel 247C3 as a first local transmission service at Central Heights-Midland City, Arizona. Channel 243C2 will permit KIKO-FM to upgrade to a full Class C facility with a significant increase in station signal coverage area and population at the station's licensed transmitter site.² In addition, KIKO is presently licensed under Section 73.215 of the Commission's rules with a restricted signal area toward station KMVA(FM) Dewey-Humboldt, Arizona. As described on the attached technical exhibit, on channel 247C2, KIKO-FM receives signal interference from station KMVA to a geographic area encompassing greater than 5,000 people with within KIKO-FM's licensed 1 mV/m signal contour. This interference would be eliminated on Channel 243C2, permitting a greater number of people to receive an improved interference free signal. If adopted, this proceeding will permit Station KIKO-FM to go from being a short-spaced station authorized pursuant to section 73.215 of the Commission's rules and using a directional antenna to a fully-spaced station using an omnidirectional antenna.³

Proposed Channel Change for KRFM(FM) Show Low, Arizona. This Petition and the KIKO Application request a change in channel for station KRFM from its current

² The attached engineering exhibit shows that CH234C would increase the population served from 41,000 as a Class C2 station to 848,000 people as a Class C station from the licensed KIKO-FM transmitter site coordinates. See, e.g., Knox City, Texas 27 FCC Rcd 10212 (MB 2012) (possibility of a future channel class upgrade and service increase is in the public interest).

³ See, Silverton, Texas 30 FCC Rcd. 42 (MB 2015) (channel substitution is in the public interest to eliminate a Section 73.215 allotment)

Channel 243C to Channel 295C at its licensed transmitter site coordinates. This channel substitution serves the public interest because it will accommodate the allotment of channel 247C3 at Central Heights-Midland City, Arizona. 1TV hereby states that it agrees to reimburse KRFM and its licensee for all of its reasonable and prudent expenses in changing channels at its licensed tower site in accordance with Commission precedent established in Circleville, Ohio, 8 FCC 2d 159 (1967) and similar cases. 1TV will serve a copy of the Petition and the KIKO-FM Application on Petracom of Holbrook, LLC, licensee of KRFM, as an affected licensee as required by Commission rules. 1TV requests that the Commission issue an order to show cause why KRFM's channel should not be changed to Channel 295C at its current transmitter site.

Proposed Channel Change for KNKI(FM) Pine Top, Arizona. This Petition and the KIKO Application request a change in channel for station KNKI from its current Channel 294C1 to Channel 253C1 at its licensed transmitter site coordinates. This channel substitution will serve the public interest in several ways. It will accommodate the allotment of channel 247C3 at Central Heights-Midland City, Arizona. Further, Channel 253C1 will also permit KNKI the opportunity to upgrade to a Class C station from its licensed tower site resulting in a significant increase in station signal coverage area and population⁴ as shown by the attached engineering study. 1TV hereby states that it agrees to reimburse KNKI and its licensee for all of its reasonable and prudent expenses in changing to channel 253C1 at its licensed tower site in accordance with Commission precedent established in Circleville, Ohio, 8 FCC 2d 159 (1967) and similar

⁴ The attached engineering exhibit shows that CH253C would increase the population served from 63,000 as a Class C1 station to 84,000 people as a Class C station from the licensed KNKI transmitter site coordinates.

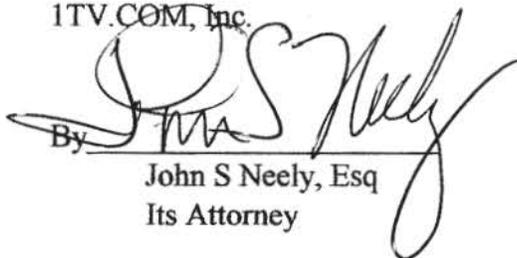
cases. 1TV will serve a copy of the Petition and the KIKO-FM Application on WSK Family Trust, the KNKI licensee, as an affected licensee as required by Commission rules. 1TV requests that the Commission issue an order to show cause why KNKI's channel should not be changed to Channel 253C1 at its current transmitter site.

Conclusion. Grant of this Petition, the KIKO Application and the proposed channel substitutions is in the public interest because it will provide a new first local radio transmission service to Central Heights-Midland City, (Priority 3), will permit the class upgrade of KIKO-FM and KNKI(FM) which would result in increase of population served by radio signal (Priority 4) and will eliminate the signal interference presently received by KIKO-FM from KMVA(FM) (Priority 4).⁵ In consideration of the foregoing, the Commission is respectfully requested to initiate a rule making proceeding to amend Section 73.202(b), the FM Table of Allotments, as follows:

	Present	Proposed
Central Heights-Midland City, Arizona	—	247C3

Respectfully submitted,

1TV.COM, Inc.

By  _____
John S Neely, Esq
Its Attorney

Miller and Neely, PC
Suite 203
3750 University Blvd., West
Kensington, MD 20895
301-933-6304

July 28, 2015

⁵ Cf. Pike Road, Alabama 29 FCC Rcd 13947, parag 8, (2014) (channel substitution is in the public interest when substitution permits new or expanded service at another community.)

CERTIFICATE OF SERVICE

I certify that on July 28, 2015, a copy of the foregoing document was placed in the United States mail, first class postage prepaid, addressed to the following:

For Petracom of Holbrook, LLC
M. Scott Johnson, Esq.
Fletcher Heald and Hildreth, PLC
1300 N. 17th Street – Eleventh Floor
Arlington, VA 22209

For WSK Family Trust
Jeffrey Southmayd, Esq
4 Ocean Ridge Blvd., South
Palm Coast, FL 32137

A handwritten signature in black ink, appearing to read "J. Southmayd". The signature is written in a cursive style with a large, stylized initial "J" and "S".

Engineering Statement in support of
FCC FORM 301
APPLICATION FOR CONSTRUCTION PERMIT
FOR A COMMERCIAL BROADCAST STATION
For a new Allocation serving Central Heights-Midland City Arizona

Introduction:

This is an application by ITV.COM, INC., (the Applicant) for a new allocation serving the community of Central Heights-Midland City Arizona

The applicant proposes a new class C3 facility on channel 247.

The proposed site:

- Is 210 km from the international border with Mexico.
- At an existing communications site with multiple existing towers.
- Has unobstructed line-of-sight to Central Height-Midland City Arizona.
- Is fully spaced under 73.207 rules to all domestic authorizations & vacancies.
- Is fully spaced to all international allotments under the agreement with Mexico.
- Is collocated with Facility ID 11894, which is licensed to the Applicant.

Prerequisites:

The allocation requires the following channel changes:

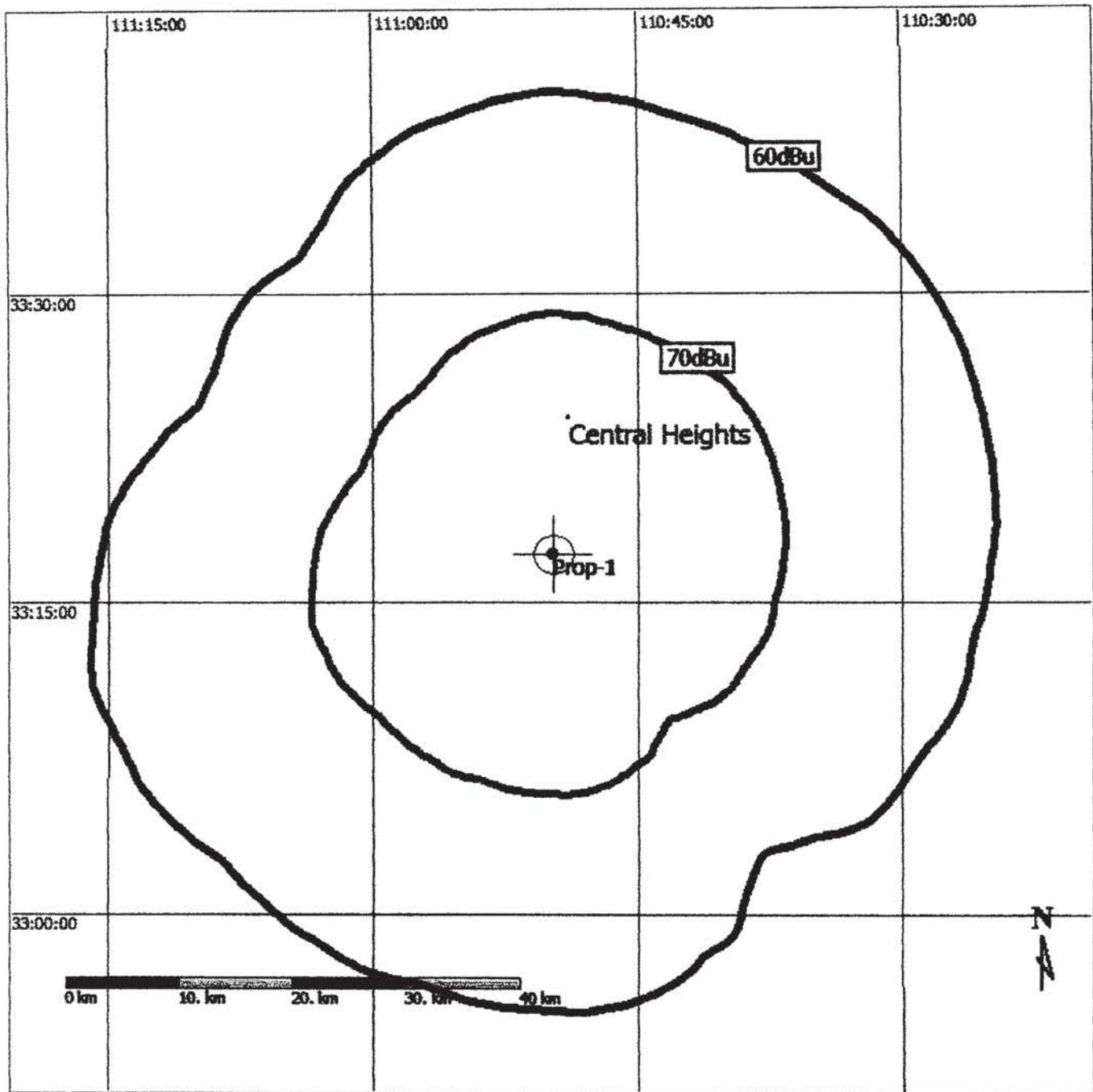
- KIKO-FM 247C2 moves to 243C2
- KRFM 243C moves to 295C
- KNKI 294C1 moves to 253C1

Section III Engineering Data:

Tech Box Data:

1. Channel 247
2. Class C3
3. Antenna Location: 33° 17' 20" N 110° 49' 45" W
4. Proposed Allotment Location: Not Applicable
5. Antenna Structure Registration Number: Not Applicable.
6. Overall Tower Height: 52 meters AGL
7. Radiation Center Height AMSL: 2352 meters (H) 2352 meters (V) AMSL
8. Radiation Center Height AGL: 50 meters (H) 50 meters (V) AGL
9. Radiation Center Height HAAT: 1005 meters (H) 1005 meters (V) AGL
10. ERP: 0.175 kW (H) 0.175 kW (V)
11. Max ERP (Beam Tilt): Not Applicable
12. DA Relative Field: Omnidirectional.
13. Complies with 73.207: Yes
14. Complies with 73.315: Yes
15. Complies with 73.1125: Yes
16. Interference rules: Yes
 - a) 73.207: Checked.
 - b) through e) Not Checked
17. NEPA: Yes.
 - a) To the best knowledge of the Applicant:
 1. The existing structure has been a long standing communication site with multiple tower. The site is not located in an officially designated wilderness area or wildlife preserve, nor does it threaten the existence or habitat of endangered species.
 2. The facility does not affect districts, sites, buildings, structures or objects significant in American history, architecture, engineering or culture that are listed in the National Register of Historic Places, or eligible for listing.
 3. The site is not located in a flood plain and is not expected to require significant changes in surface features such as wetland fill, deforestation or water diversion.
 4. The structure does not require illumination.
 - b) The Applicant will cooperate with all site users, managers and owners with regard to the cessation of operation or the reduction of operating power, whenever it is necessary to comply with the FCC Regulations and Guidelines on Human Exposure to Non-Ionizing RF Radiation.
 - c) Assuming an isotropic radiator the predicted RF at the communications site will increase by one-half of one percent, See RFR Exhibit.

Map Showing 60dBu & 70dBu F(50,50) Contours for a Proposed 247C3 Allocation Serving Central Height/Midland City Arizona



Allocation Site Located at 33° 17' 20"N, 110° 49' 45"W using C3 class height and power adjusted for HAAT.

Site Elevation: 2302 meters AMSL, 1347 meters HAT

Antenna modeled at 50 meters AGL, 1005 meters HAAT

HAAT adjusted ERP = 0.175 kW

RFEngineers, Inc

Gainesville, FL

July 2015

Spacing Exhibit

ID	City	St	Chan	CL	Stat	Prefix	ARN	FID	Dist	Min 207	Clear 207
KMVA	DEWEY-HUMBOLDT	AZ	248	C	LIC	BLH	20050413ABX	68566	176.9	176	0.9
KMXP	PHOENIX	AZ	245	C	LIC	BMLH	19941024KC	6361	114.7	96	18.7
KUPD	TEMPE	AZ	250	C	LIC	BMLH	20130820ABM	65166	115.2	96	19.2
KSZR	ORO VALLEY	AZ	248	A	LIC	BLH	20000421ABC	39734	108.6	89	19.6
	SONOITA	SO	247	B				95953	247.4	211	36.4
INTL:VAC	AGUA PRIETA	SO	247	B				95943	250.2	211	39.2

Table 1: 73.207 spacing for Class C3 at KIKO-FM site.

RFR Exhibit

Ref Line #			
(1)	Rad Center Height		Meters AGL
(3)	Building Height		Meters AGL
(4)	Clearance Height	50.000	Meters AGL
(5)	Head Height	48.000	Meters AGL
(6)	Horizontal ERP		kW
(7)	Vertical ERP		kW
(8)	Total Power	0.350	kW
(9)	Power x 33.41	11.694	
(10)	line 5 squared	2304.000	
(11)	Line-9 / Line-10	0.005	
(12)	Percent Exposure	0.508	%

Community Facts - Find popular facts (population, income, etc.) and frequently requested data about your community.

Enter a state, county, city, town, or zip code:

-
-
-
-
-
-
-
-
-
-
-
-

Central Heights-Midland City CDP, Arizona

Population [Bookmark/Save](#) | [Print](#)

Census 2010 Total Population

2,534

Source: 2010 Demographic Profile

Popular tables for this geography:

2010 Census

- General Population and Housing Characteristics (Population, Age, Sex, Race, Households and Housing, ...)
- Race and Hispanic or Latino Origin
- Hispanic or Latino by Type (Mexican, Puerto Rican, ...)
- Households and Families (Relationships, Children, Household Size, ...)

2013 American Community Survey

- Demographic and Housing Estimates (Age, Sex, Race, Households and Housing, ...)

2014 Population Estimates Program

- Annual Population Estimates

Census 2000

- General Demographic Characteristics (Population, Age, Sex, Race, Households and Housing, ...)

* Want more? Need help? Use Guided Search or visit [Census.gov's Quick Facts](#).

Measuring America — People, Places, and Our Economy

[Accessibility](#) | [Information Quality](#) | [FOIA](#) | [Data Protection & Privacy Policy](#) | [U.S. Dept of Commerce](#)

United States Census Bureau

Source: U.S. Census Bureau | American FactFinder

facebook (<https://www.facebook.com/centralheightsbaptistchurchaz>)



*A community of Bible-believing Christians that come together to worship
and glorify the Lord and Savior Jesus Christ*

Service Times

Sunday school @ 9:45am

Sunday Worship Service @ 11:00am

Sunday Evenings @ 6:00pm

HOME (/)

BIBLE (/BIBLE)

WELCOME! (/NEW-HERE)

MINISTRIES (/MINISTRIES)

PRAYER REQUEST (/PRAYER-REQUEST)

SERMONS (/SERMONS)

BELIEFS (/BELIEFS)

EVENTS CALENDAR (/EVENTS-CALENDAR)

PHOTO ALBUM (/PHOTO-ALBUM)

Welcome to CHBC!

Central Heights | Branch & ATM

[Return to search results](#) | [Start a new search](#)

2070 Hwy 60
Miami, AZ 85539
1-928-402-9304

Branch hours

M-Th 9-5
Fri 9-6
Sat 9-1
Sun Closed

[Get directions](#)

Start Location

2070 Hwy 60 Miami, AZ

Featured services

Mortgage Loan Officer
Amanda Dailey, Mortgage Banker

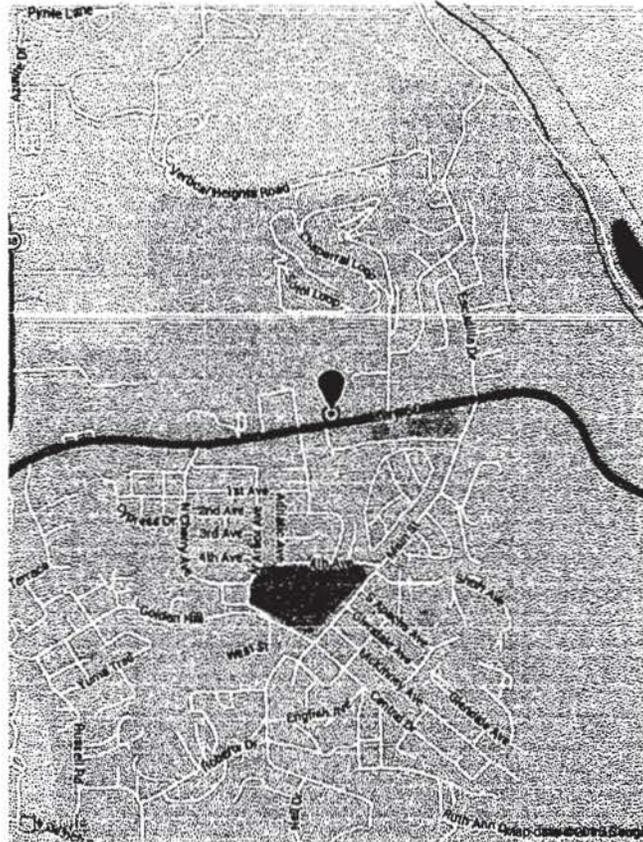
Bank Services
Cashier's checks
Checking and savings
Money orders
Wheel chair accessible
Fraud claims

ATM services

Wheel chair accessible
Languages: English, Spanish & Chinese
Voice guidance
Withdrawals
Deposits
Transfers
Inquiries
Mini statements
Payments
Color and touchscreen monitor

Featured products

Savings & money market accounts
CDs
Checking accounts
Credit cards
Home equity loans
Mortgages
Loans
Investment planning
Retirement planning
Insurance
Wealth Management
Small Business
Commercial



73.207 Spacing Study Centered on KIKO-FM, 243C2:

Callsign	Bearing	Distance (km)	73 207 Clearance	73 207 Min Separation	Channel	Class	Status	City	State	Owner	Facility_ID
KIKO-FM	0	0.0	-249.0	249	243 : 96.5 MHz	C	APP	CLAYPOOL	AZ	1TV.COM, INC.	11894
KIKO-FM	0	0.0	-190.0	190	243 : 96.5 MHz	C2	LIC	CLAYPOOL	AZ	1TV.COM, INC.	11894
KMXP	273	114.7	9.7	105	245 : 96.9 MHz	C	LIC	PHOENIX	AZ	CITICASTERS LICENSES, INC.	6361
KLPX	193	118.4	13.4	105	241 : 96.1 MHz	C	LIC	TUCSON	AZ	ARIZONA LOTUS CORP.	2745
NEW-FM	233	284.9	14.9	270	243 : 96.5 MHz	C		SONOITA	SO		164892
XHNGSFM	183	217.5	53.5	164	244 : 96.7 MHz	B		NOGALES	SO		96260
XHNGSFM	183	218.7	54.7	164	244 : 96.7 MHz	B		NOGALES	SO		96260
KVVA-FM	283	75.8	58.8	17	296 : 107.1 MHz	C3	LIC	APACHE JUNCTION	AZ	ENTRAVISION HOLDINGS, LLC	1331

73.207 Spacing Study Centered on KNKI, 253C1:

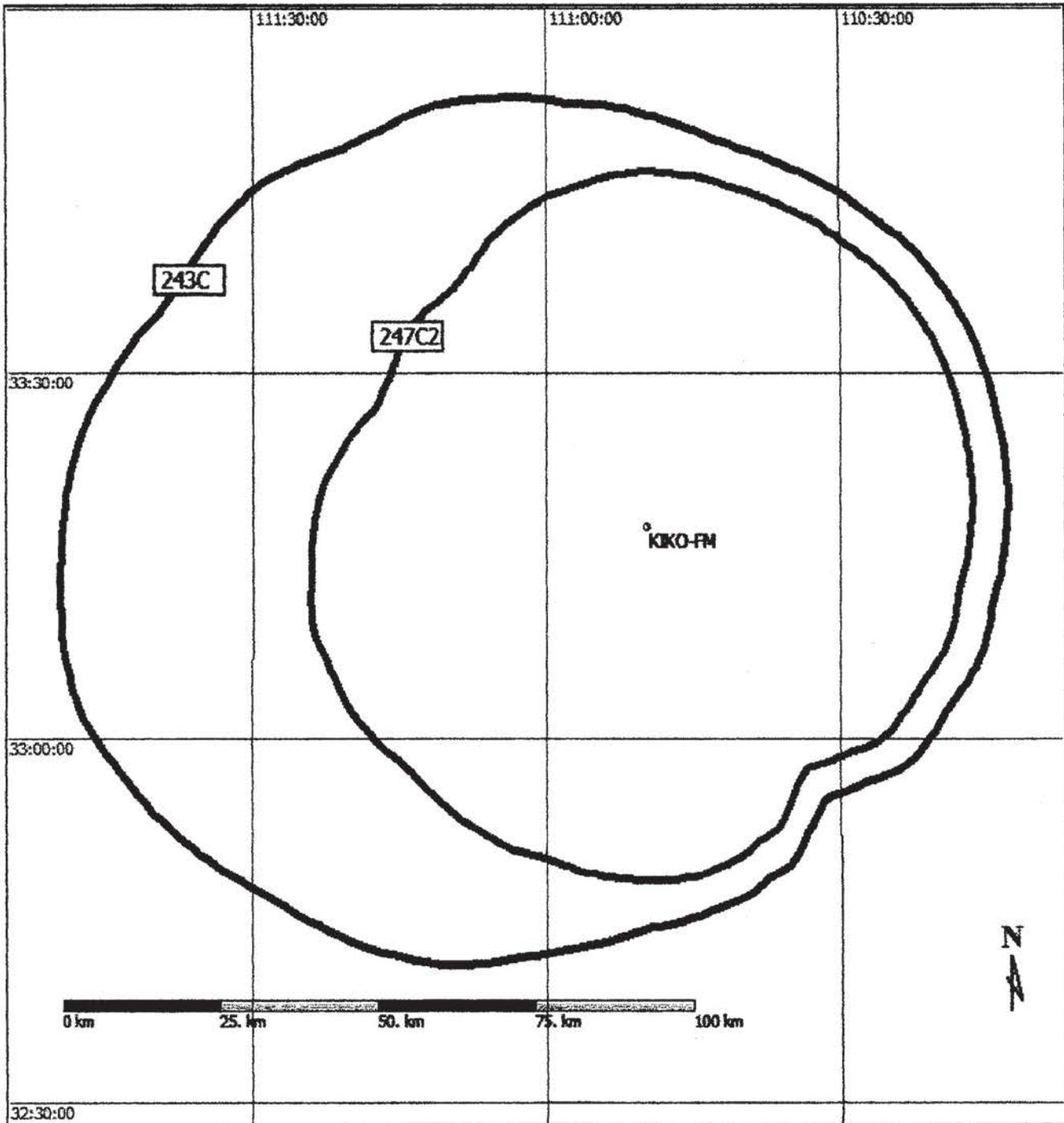
Callsign	Bearing	Distance	73 207 Clearance	73 207 Min Separation	Channel	Class	Status	City	State	Owner	Facility_ID
KNKI	0	0.0	-245.0	245	253 : 98.5 MHz	C1	LIC	PINETOP	AZ	WSK FAMILY TRUST (CATHY KONOPNICKI MANAGER/TRUSTEE)	78413
KMVP-FM	246	251.1	42.1	209	254 : 98.7 MHz	C	LIC	PHOENIX	AZ	BONNEVILLE INTERNATIONAL CORPORATION	52514
KKFR	270	256.3	47.3	209	252 : 98.3 MHz	C	LIC	MAYER	AZ	RIVIERA BROADCASTING, LLC	41462
KSNM	123	261.1	52.1	209	254 : 98.7 MHz	C	LIC	TRUTH OR CONSEQUENCE	NM	ADAMS RADIO OF LAS CRUCES, LLC	60322
KABG	59	326.6	56.6	270	253 : 98.5 MHz	C	LIC	LOS ALAMOS	NM	AGM NEVADA, LLC	44090
XHSAP-FM	180	326.6	56.6	270	253 : 98.5 MHz	B		AGUA PRIETA	SO		136427

73.207 Spacing Study Centered on KRFM, 295C:

Callsign	Bearing	Distance	73 207 Clearance	73 207 Min Separation	Channel	Class	Status	City	State	Owner	Facility_ID
KRFM	0	0.0	-290.0	290	295 : 106.9 MHz	C*	LIC	SHOW LOW	AZ	PETRACOM OF HOLBROOK, LLC	33692
KNKI	146	24.1	-196.9	220	294 : 106.7 MHz	C0	RSV	PINETOP	AZ	WSK FAMILY TRUST (CATHY KONOPNICKI MANAGER/TRUSTEE)	78413
KVVA-FM	242	177.0	1.0	176	296 : 107.1 MHz	C3	LIC	APACHE JUNCTION	AZ	ENTRAVISION HOLDINGS, LLC	1331
KDVA	251	260.0	34.0	226	295 : 106.9 MHz	A	LIC	BUCKEYE	AZ	ENTRAVISION HOLDINGS, LLC	2750
KLFZ	327	157.5	52.5	105	293 : 106.5 MHz	C1	CP	LEUPP	AZ	ALEX MEDIA, INC.	191514
KPPV	278	240.6	52.6	188	294 : 106.7 MHz	C2	LIC	PRESCOTT VALLEY	AZ	PRESCOTT VALLEY BROADCASTING CO. INC	53414

ID	City	St	Chan	CL	Stat	Prefix	ARN	FID	Dist	Min 207	Clear 207
KMVA	DEWEY-HUMBOLDT	AZ	248	C	LIC	BLH	20050413ABX	68566	176.9	176	0.9
KMXP	PHOENIX	AZ	245	C	LIC	BMLH	19941024KC	6361	114.7	96	18.7
KUPD	TEMPE	AZ	250	C	LIC	BMLH	20130820ABM	65166	115.2	96	19.2
KSZR	ORO VALLEY	AZ	248	A	LIC	BLH	20000421ABC	39734	108.6	89	19.6
	SONOITA	SO	247	B				95953	247.4	211	36.4
INTL:VAC	AGUA PRIETA	SO	247	B				95943	250.2	211	39.2

Map Comparing KIKO-FM as 247C2 (Licensed) and 243C (Proposed)

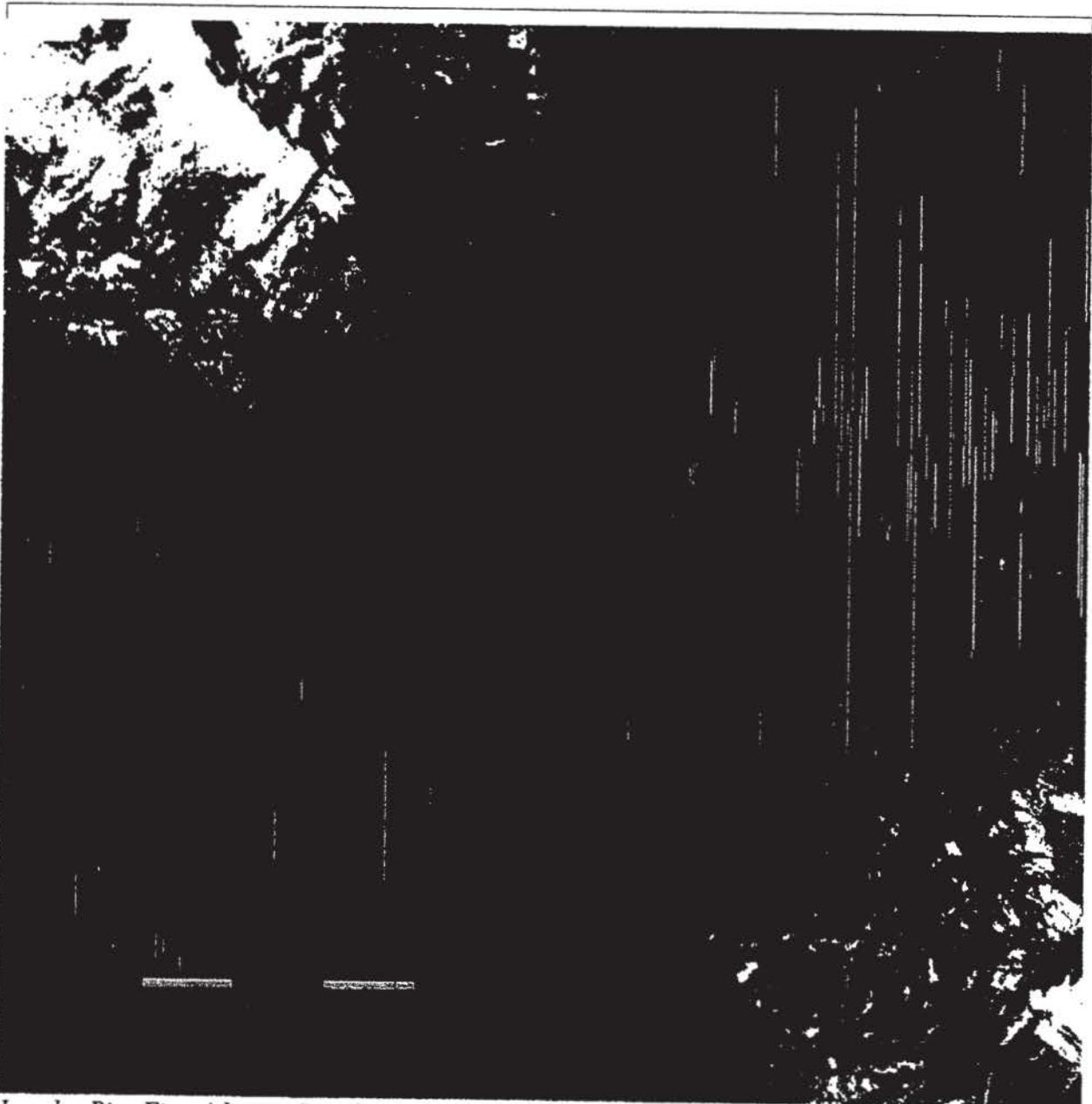


Population counts are taken from 2010 Census Block Level Data

Contour	Population
247C2	41,265
243C	848,393

RFEngineers, Inc
Gainesville, FL
July 2015

Map Showing Areas Where KMVA's Signal is Predicted to Exceed that of KIKO-FM by more than 6dB.



Longley Rice First Adjacent Interference Prediction, KMVA to KIKO-FM

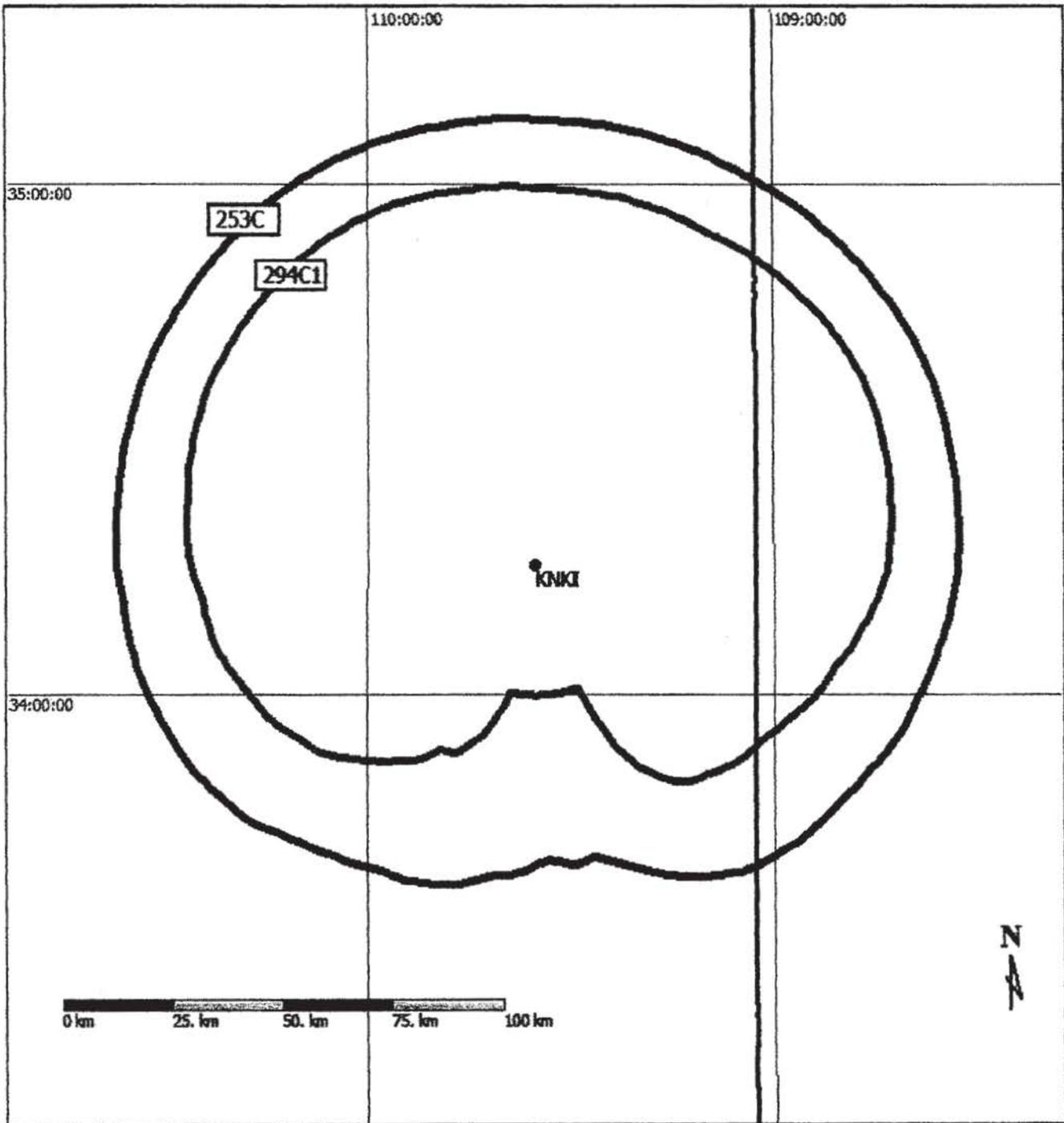
Red Zone Population is 5399.

RFEngineers, Inc.

Gainesville, Florida

July 2015

Map Comparing KNKI as 294C1 (Licensed) and 253C (Proposed)



Population counts are taken from 2010 Census Block Level Data

Contour	Population
294C1	63,757
253C	84,788

RFEngineers, Inc
Gainesville, FL
July 2016

Parameters Used For the Desired and Undesired Stations

Longley-Rice Parameters – KIKO-FM:

Transmitter Radiation Centerline: 2352 m AMSL
Receiver Antena Centerline: 9 m AGL
Analysis Radius: 65 km
Bin Size: 6 Arc-Seconds
Transmitter Location: (NAD-83) 033:17:20 North
110:49:47 West
Terrain Data Source: USGS 3 Arc-Second
Antenna Polarization: Horizontal
Radio Climate: Continental Temperate
Refractivity: 301
Conductivity: 0.008 S/m
Dielectric Constant: 15
Confidence: 50
Reliability: 50
Frequency: 97.3 MHz
ERP: 670 Watts

Longley-Rice Parameters – KMVA:

Transmitter Radiation Centerline: 2382 m AMSL
Receiver Antena Centerline: 9 m AGL
Analysis Radius: 65 km
Bin Size: 6 Arc-Seconds
Transmitter Location: (NAD-83) 034:14:05 North
112:22:02 West
Terrain Data Source: USGS 3 Arc-Second
Antenna Polarization: Horizontal
Radio Climate: Continental Temperate
Refractivity: 301
Conductivity: 0.008 S/m
Dielectric Constant: 15
Confidence: 50
Reliability: 50
Frequency: 97.5 MHz
ERP: 42,000 Watts