

Cheyenne River Sioux Tribe
PO Box 1683
Eagle Butte, South Dakota 57625

Received & inspected

MAY 16 2016

FCC Mailroom

May 12, 2016

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Attention Audio Division -

Ms. Dortch:

RE: PETITION FOR RULEMAKING IN Eagle Butte, SD,
FILE NUMBER 20160512ABE, FAC ID 199400

Please find enclosed an original and four copies plus a "Stamp & Return" copy of a Petition for Rulemaking.

The instant Petition has been filed concurrently with a Form 301 application and assigned file number 20160512ABE.

Sincerely,



Harold Frazier
Petitioner

mic/CHB

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Eagle Butte is a community for tribal allotment purposes. It is a census designated place in Dewey and Ziebach counties in South Dakota, with its own zip code (57625). As of 2010, the total population of Eagle Butte is 1,318 people of which over 92% are Native American. The Eagle Butte population density was 1,126.5 inhabitants per square mile (434.9/km²)¹.

CRST adopted the Cheyenne River Constitution in December of 1935².

CRST meets the eligibility criteria for a Tribal Priority in Eagle Butte: 1) CRST is a federally recognized organization³ comprised of four traditional bands of the Lakota, also known as Teton Sioux: The Minniconjou, Two Kettle (Oohenunpa), Sans Arc (Itazipco) and Blackfoot (Sihásapa). It is located in Eagle Butte, South Dakota on the Cheyenne River Reservation which was created in 1889 and covers 4,267 square miles, making it the fourth largest Indian Reservation in land area in the United States⁴; 2) At least 50 percent of the area within the proposed principal community contour is over Sioux Tribal Lands; 3) The proposed community of license, Eagle Butte, SD., is located on Cheyenne River Reservation; 4) The proposed service constitutes the first local Tribal-owned transmission service at the proposed community of license.

The proposed channel 228C1 will provide a local Tribal service to the community of Eagle Butte, SD, thereby advancing the Commission's goals of serving the public interest, convenience, and necessity.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'H. Frazier', with the initials 've' written below it.

Harold Frazier

PO Box 1683

Eagle Butte, SD 57625

¹ American FactFinder United States Census Bureau

² South Dakota Department of Tribal Relations

³ Federal Register: *Indian Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs*

⁴ Wikipedia: *Cheyenne River Indian Reservation*

As shown in Table 1 the proposal is fully spaced to all existing and proposed stations. Figure 1 is a map demonstrating that the 70 dB μ contour completely encompasses the city of license; the contour complies with §73.315(a) of the Rules.

Table 1

Channel 228 (93.5 MHz Class C1) at 45-01-32.0 N, 101-14-22.0 W.

<u>CALL</u>	<u>CITY</u>	<u>ST</u>	<u>CHN</u>	<u>CL</u>	<u>DIST</u>	<u>SEP</u>	<u>BRNG</u>	<u>CLEARANCE</u>
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