

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
1998 Biennial Regulatory Review --) MM Docket No. 98-93
Streamlining of Radio Technical)
Rules in Parts 73 and 74 of the)
Commission's Rules)

To: The Commission

COMMENTS

East Arkansas Broadcasters, Inc.^{1/}, pursuant to the Notice of Proposed Rule Making and Order, FCC 98-117, released June 15, 1998, hereby submits its comments regarding the Commission's proposed Class C0 FM station classification:

1. The Commission proposes to adopt a new minimum antenna height of 450 meters height above average terrain for Class C FM stations. The Commission proposes that an existing Class C station that does not meet this 450 meter height above average terrain minimum at the conclusion of three years be reclassified as a C0 station, and the spacing relationships between it and other stations will be reduced.

2. In the event that the Commission goes forward with the adoption of its Class C0 FM classification, East Arkansas Broadcasters, Inc., proposes an modification to the Commission's pro-

^{1/} East Arkansas Broadcasters, Inc. is the licensee of KWYN(AM) and KWYN-FM, Wynne, Arkansas; KBRI(AM) and KTRQ(FM), Brinkley, Arkansas and KDEW-FM, DeWitt, Arkansas. In addition, a principal of East Arkansas Broadcasters, Inc. is a principal in the licensee of KWAK(AM) and KWAK-FM, Stuttgart, Arkansas.

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posal that flows as a logical outgrowth. The Commission should state that, where an existing Class C station notifies the Commission by the filing of a Class C0 license application that it has no intention of increasing its facilities to facilities in excess of 450 meters antenna height above average terrain, in those circumstances the Class C station should be downgraded immediately to Class C0. This downgrade would then allow other stations the opportunity to make facility improvements that otherwise would not be available for three years.

3. The public interest would be well served by this modification in the Commission's Class C0 proposal. No existing Class C station would have any compulsion to immediately upgrade to the minimum of 450 meters -- indeed, stations would have the full three years in which to file an application to effect such an improvement. Those stations that had no intention of upgrading and wished to assist other stations, either through an agreement or as part of a group of stations effectuating modifications, would be able to notify the Commission of an intention not to upgrade facilities to a minimum of 450 meters antenna height above average terrain by the filing of a Class C0 license application. With a filing of a Class C0 license application, the subject station would be downgraded, which would allow other stations the opportunity to make changes that would be in the public interest.

4. In conclusion, East Arkansas Broadcasters, Inc. proposes that if the Commission adopts its new Class C0 FM classification, it be adopted with the modification that an existing Class C

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10/20/98 04:50 pm
19/004 of 004

STATION license may immediately upon adoption of the new classification file a license application specifying Class C0 without taking advantage of the three year time period for upgrading facilities, if a Class C station licensee so desires.

Respectfully submitted,

EAST ARKANSAS BROADCASTERS, INC.

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