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January 20, 1998

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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**VIA HAND DELIVERY**

Ms. Magalie R. Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

Re: Joint Petition for Rule Making

Dear Ms. Salas:

On behalf of Salt Broadcasting, L.L.C. and Americom Las Vegas Limited Partnership, I am transmitting herewith an original and four copies of a Joint Petition for Rule Making seeking to amend the FM Table of Allotments by deleting Channel 261C2 at Incline Village, Nevada, assigning Channel 261C1 for use at Dayton, Nevada, and reallocating Channel 295C from Reno, Nevada, to Incline Village, Nevada.

Should there be any questions concerning this matter, please contact the undersigned.

Very truly yours,



Ross G. Greenberg

RGG:rg  
Enclosures

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BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D.C. 20554

**RECEIVED**

JAN 20 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations )  
(Reno, Incline Village and Dayton, Nevada) )

MM Docket No. 98 - \_\_\_\_\_  
RM \_\_\_\_\_

To: Chief, Allocations Branch

**JOINT PETITION FOR RULE MAKING**

Salt Broadcasting, L.L.C. ("Salt"), licensee of broadcast Station KTHX-FM, Incline Village, Nevada, and Americom Las Vegas Limited Partnership ("Americom," and, with Salt, the "Petitioners"), licensee of broadcast Station KRNO-FM, Reno, Nevada, pursuant to Section 1.401 of the Commission's Rules, hereby request that the Commission institute a rule making proceeding to amend Section 73.202(b), the FM Table of Allotments, by deleting Channel 261C2 at Incline Village, Nevada, and assigning Channel 261C1 for use at Dayton, Nevada, and reallocating Channel 295C from Reno, Nevada, to Incline Village, Nevada.<sup>1/</sup>

Submitted herewith on behalf of the joint petitioners as Attachment 1 is an Engineering Statement of Hatfield & Dawson demonstrating that this petition is in full accord

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<sup>1/</sup> Salt and Americom are filing this petition jointly in satisfaction of an agreement between the parties, reached when Americom assigned the license of KTHX-FM to Salt. As a condition to the assignment, Americom agreed to cooperate with Salt in its efforts to upgrade the facilities of KTHX-FM.

with Commission minimum distance separation and city grade coverage requirements.<sup>2/</sup> Grant of the amendments proposed herein would result in a preferential arrangement of allotments pursuant to the Commission's change of community procedures, Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989), reconsideration granted in part, denied in part, 5 FCC Rcd 7094 (1990), and would benefit communities most in need of local transmission service. Under this precedent, these changes are to be made without opening either allotment to new applicants. See Id.

The proposed change for KTHX-FM would provide Dayton with its first local service. Dayton, listed in the 1990 census with a population of 2,217, has its own post office and zip code, its own police force, jail and courthouse, several banks, an extensive school system comprised of two elementary, one intermediate and one high school, a library, and a volunteer fire house. Telephone Interview by Ross G. Greenberg of Michelle Jolly, Secretary of Dayton Area Chamber of Commerce (Oct. 6, 1998); The Dayton Area Chamber of Commerce Map (1997). The closest urbanized area is Carson City, Nevada, which is approximately twelve miles distant. Id. Accordingly, it is clear that Dayton is an independent community deserving of its first local transmission service.

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<sup>2/</sup> It is requested that Channel 295C be allotted to Incline Village, Nevada at the current licensed site of KRNO-FM. This site is approximately 10.1 kilometers northeast of Incline Village. The hypothetical site for Channel 261C1 at Dayton, Nevada is located 36.8 kilometers northeast of Dayton. Attachment 2 hereto is a supplemental Engineering Statement from Hatfield & Dawson which reports on the projected coverage gains and losses from McClellan Butte, which is the actual site from which KTHX-FM proposes to operate as a Class C1 station.

With respect to the technical aspect of the KTHX-FM proposal, it is respectfully noted that the upgrade from a Class C2 to a Class C1 channel and operation from the McClellan Butte transmitter site identified in Attachment 2 hereto, would result in a service gain area of 7,106 square kilometers containing 24,146 persons. The loss area from that McClellan Butte site, by contrast, would encompass, by contrast, only 12 square kilometers and 4 persons. The entire gain/loss area is well served, with at least 10 reception services over the entire area. See Attachment 2 hereto.

In order to prevent a loss of local transmission service which otherwise would result from the reallocation of KTHX-FM from Incline Village to Dayton, Americom proposes to change the allotment of KRNO-FM, Channel 295C, from Reno to Incline Village. Thus, the community of Incline Village will not only receive a replacement service, but a superior one, operating with Class C, rather than Class C2, facilities.<sup>3/</sup> As no change is proposed in the transmitter site of KRNO-FM, there will be no gain or loss in reception service. The only "loss" will be the removal of Channel 295C from Reno. However, Reno will continue to be served by many other radio stations currently licensed to that city.<sup>4/</sup> These remaining stations will be more than sufficient to serve its needs.

In sum, the reallocations proposed herein will result in a first local, Class C1 service for Dayton; an upgrade of Incline Village's only station from Class C2 to Class C

---

<sup>3/</sup> Incline Village-Crystal Bay is listed in the 1990 census with a population of 7,119.

<sup>4/</sup> Those stations include: KCBN(AM), KDOT(FM), KHIT(AM), KKOH(AM), KNEV(FM), KNHK(FM), KOZZ-FM, KPTT(AM), KQLO(AM), KRNV-FM, KUNR(FM), KXEQ(AM) and KXTO(AM). Broadcasting & Cable Yearbook 1998, pp. D-275, D-276.

facilities; and a net extension of service to 24,142 persons. These public interest benefits are more than sufficient to outweigh the removal of one service from the community of Reno, which is otherwise well served. Accordingly, the Petitioners respectfully submit that the allotments proposed herein would serve the public interest and should be implemented.

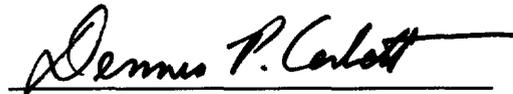
WHEREFORE, for the reasons stated above, a rule making proceeding should be instituted to amend Section 73.202(b) to delete Channel 261C2 at Incline Village, Nevada, and assign Channel 261C1 for use at Dayton, Nevada, and to reallocate Channel 295C from Reno, Nevada, to Incline Village.

Respectfully submitted,

**AMERICOM LAS VEGAS LIMITED PARTNERSHIP**

**SALT BROADCASTING, L.L.C.**

By:



Dennis P. Corbett  
Ross G. Greenberg

Leventhal, Senter & Lerman P.L.L.C.  
2000 K Street, N.W.  
Suite 600  
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202-429-8970

January 20, 1999

**ATTACHMENT 1**

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## ENGINEERING STATEMENT

PETITION FOR RULEMAKING TO  
AMEND SECTION 73.202 OF THE RULES  
AND REGULATIONS OF THE FEDERAL  
COMMUNICATIONS COMMISSION

TO ASSIGN

FM CHANNEL 261C1  
FOR USE AT DAYTON, NEVADA  
&  
FM CHANNEL 295C FOR USE  
AT INCLINE VILLAGE, NEVADA

SALT BROADCASTING, L.L.C.  
&  
AMERICOM LAS VEGAS LIMITED PARTNERSHIP

10/98

## ENGINEERING STATEMENT

This Engineering Statement has been prepared on behalf of Salt Broadcasting, L.L.C. and Americom Las Vegas Limited Partnership in support of a petition for Rulemaking to amend §73.202 of the Commission's Rules to assign channel 261C1 for use at Dayton, Nevada and channel 295C for use at Incline Village, Nevada. Salt Broadcasting, L.L.C. is the licensee of FM radio station KTHXFM, channel 261C2, Incline Village, Nevada. Americom Las Vegas Limited Partnership is the licensee of FM radio station KRNOFM, channel 295C, Reno, Nevada.

This petition proposes (1) assignment of channel 261C1 for use at Dayton, Nevada, and deletion of channel 261C2, Incline Village, Nevada; and (2) assignment of 295C for use at Incline Village, Nevada, and deletion of 295C at Reno, Nevada. As outlined in the attached channel studies, channel 261C1 can be assigned for use at Dayton, Nevada, from a hypothetical site located 36.8 kilometers northeast of Dayton, in complete compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments, upon deletion of channel 262C2, Incline Village, Nevada (currently used by KTHXFM). Additionally, channel 295C can be assigned for use at Incline Village, Nevada, from the KRNO licensed site, in complete compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments, upon deletion of channel 295C, Reno, Nevada (currently used by KRNOFM).

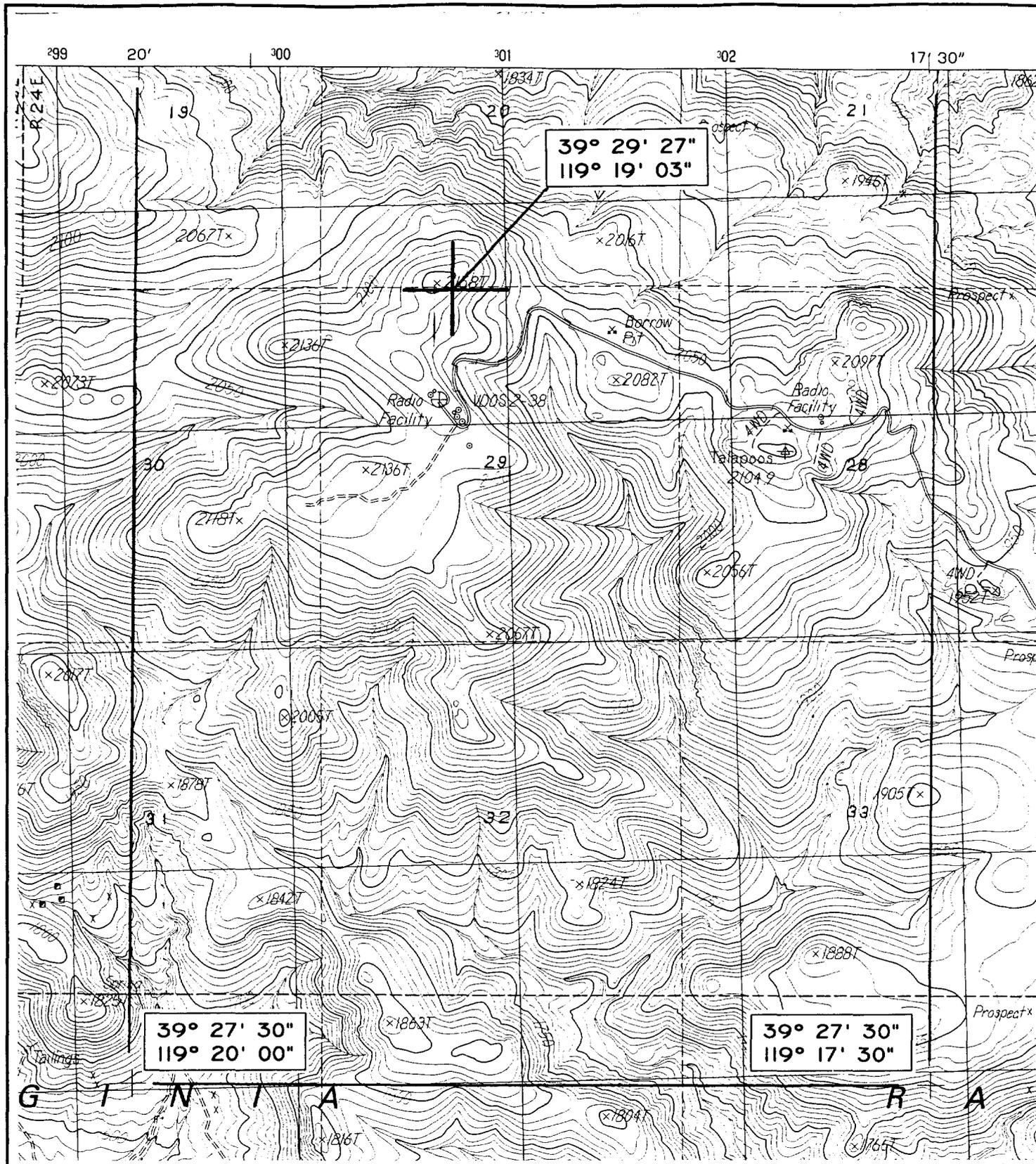
Hatfield & Dawson Consulting Engineers

Upon approval of the Petition for Rulemaking, an application for construction permit will be filed on behalf of KTHXFM for operation on 261C1, serving Dayton. The hypothetical site specified in this Engineering Statement is located 36.8 kilometers northeast of Dayton. The nominal distance to the 70 dBu F(50,50) contour for a Class C2 station is 50 kilometers; therefore, this site can be presumed to provide greater than 70 dBu coverage to all of Dayton. An application for construction permit will also be filed on behalf of KRNO for operation on 295C, serving Incline Village. The site specified in this Engineering Statement is the current licensed site of KRNO. It is located 10.1 kilometers northeast of Incline Village. The nominal distance to the 70 dBu F(50,50) contour for a Class C station is 67.6 kilometers; therefore, this site can be presumed to provide greater than 70 dBu coverage to all of Incline Village.

Hatfield & Dawson Consulting Engineers

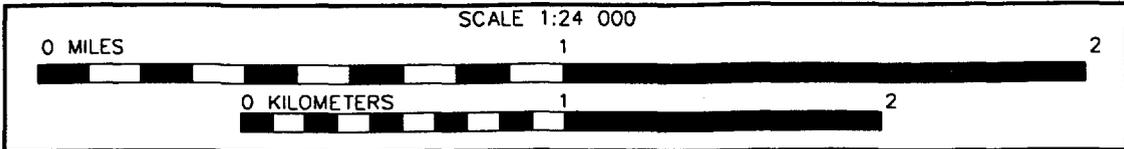






STOCKTON WELL  
QUADRANGLE

NEVADA  
7.5 MINUTE TOPOGRAPHIC



HATFIELD & DAWSON  
CONSULTING ENGINEERS

HYPOTHETICAL TRANSMITTER SITE MAP  
DAYTON, NEVADA  
10/98



Seattle, WA

FM SEPARATION STUDY

Job Title : Incline Village, Nevada

Separation Buffer 100 km

FCC DB Date : 09/25/98

Channel 295C (106.9 MHz)

Coordinates : 39-18-38 119-53-01

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KRQR CP	Orland CA	BPH950627IC	294B 106.7	50.0 DA 94.0	39-53-16 122-37-38	286.1	244.22 27.22	217 CLEAR
KRNOFM LIC	Reno NV	BLH870805KC	295C 106.9	37. 911.0	39-18-38 119-53-01	.0	.00 -290.00	290 SHORT
KQLB LIC	Los Banos CA	BLH921207KI	295A 106.9	6.0 100.0	36-55-35 120-50-42	197.9	277.74 51.74	226 CLEAR
KEAR CP	San Francisco CA	BPED970703IB	295B 106.9	80. 305.0	37-51-04 122-29-50	235.3	279.49 5.49	274 CLOSE
GRANDFATHERED AT 80KW / 305 M HAAT Commercial Channel Operating Noncommercial								
KEAR LIC	San Francisco CA	BLH781120AD	295B 106.9	80. 341.0	37-50-58 122-29-56	235.3	279.71 5.71	274 CLOSE
GRANDFATHERED AT 80KW @ 341M HAAT.								
KKRB LIC	Klamath Falls OR	BLH870824KC	295C1 106.9	51. 206.0	42-13-26 121-49-02	333.9	362.38 92.38	270 CLEAR
KMMM LIC	Madera CA	BLH971124KH	296B1 107.1	9.9 157.0	37-07-40 119-40-38	175.7	242.96 49.96	193 CLEAR
One-Step Application from Channel 297A								
K296BR LIC	Big Bend & Bush Bar CA	BLFT830815MN	296D 107.1	.001 278.0	41-00-50 121-57-00	317.8	258.38 .00	0 TRANS
TRANSLATOR FOR KALF, RED BLUFF, CA.								
KISK CP	Shasta Lake City CA	BPH960717MA	296C3 107.1	1.40 415.0	40-39-06 122-31-32	304.4	270.37 94.37	176 CLEAR
KSTNFM LIC	Stockton CA	BLH3869	297B 107.3	8.1 491.0	37-49-17 121-46-49	225.5	233.78 128.78	105 CLEAR
GRANDFATHERED AT 8.1KW @ 491M HAAT. Horizontally Polarized only.								
KSAC CPM	Sutter Creek CA	BMPH980630IB	298A 107.5	3.1 140.0	38-25-42 120-33-31	211.0	114.13 19.13	95 CLEAR
amended 980710								
KSAC LIC	Sutter Creek CA	BLH960605KF	298A 107.5	6.0 100.0	38-22-11 120-38-36	212.4	123.54 28.54	95 CLEAR

Seattle, WA

FM SEPARATION STUDY

Job Title :Incline Village, Nevada

Separation Buffer 100 km

FCC DB Date : 09/25/98

Channel 295C (106.9 MHz)

Coordinates : 39-18-38 119-53-01

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
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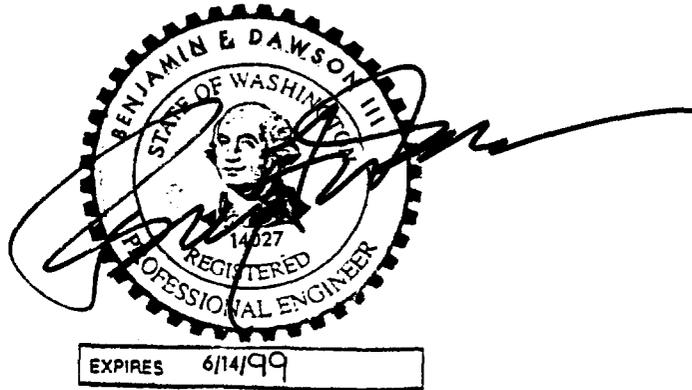
KPPL-1 LIC	Yuba City CA	BLFTB890731TC	298D 107.5	.086 616.0	DA 39-12-21 121-49-11	266.6	167.53	0 .00 BOOST
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\*\* End of separation study for channel 295C \*\*

CERTIFICATION

This Engineering Statement has been prepared on behalf of Salt Broadcasting, L.L.C. and Americom Las Vegas Limited Partnership supporting a Petition for Rulemaking to revise the Table of Allotments to specify channel 261C1 for use at Dayton, Nevada, and channel 295C for use at Incline Village, Nevada. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson, Consulting Engineers, and am Registered as a Professional Engineer in the States of California and Washington.

October 5, 1998



Benjamin F. Dawson III, P.E.

Hatfield & Dawson Consulting Engineers

**ATTACHMENT 2**

## HATFIELD & DAWSON

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### Engineering Statement

An engineering study has been conducted in order to determine whether the proposed reallocation of FM channel 261C2 at Incline Village, Nevada to FM channel 261C1 at Dayton, Nevada would provide additional service ("gain area") to any areas which do not presently receive service from at least 10 full-time broadcast stations.

For the purposes of this study, channel 261C1 at Dayton is assumed to be operating with full Class C1 facilities atop McClellan Butte, the coordinates of which are NL 39° 15' 34" x WL 119° 42' 16". This is the site of KNEV(FM), as well as several other broadcast facilities. Channel 261C1 can operate from atop McClellan Butte as a short-spaced station with respect to stations KQOD 261A Stockton, KRCX 260B Marysville, KCIV 260B Mt. Bullion, and KSPY 262A Quincy. In order to operate with full Class C1 power, a directional antenna pattern would be necessary in order to provide the requisite contour protection with respect to KRCX, KCIV and KSPY. An appropriate directional antenna pattern has been assumed for this study.

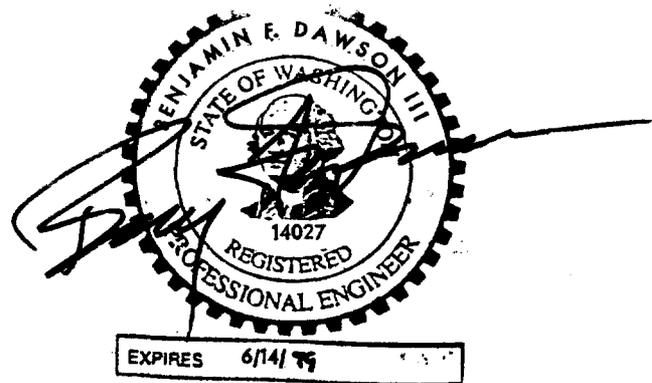
The resulting gain area over the licensed omnidirectional KTHX operation atop Slide Mountain on channel 261C2 encompasses 7,106 km<sup>2</sup> and 24,146 persons (1990 Census). There is also an associated loss area, encompassing 12 km<sup>2</sup> and 4 persons (1990 Census).

The results of this study show that the entire gain area and the entire loss area presently receive service from at least 10 full-time broadcast stations. Each of the ten FM stations listed below provides 60 dBu service to 100% of the gain area.

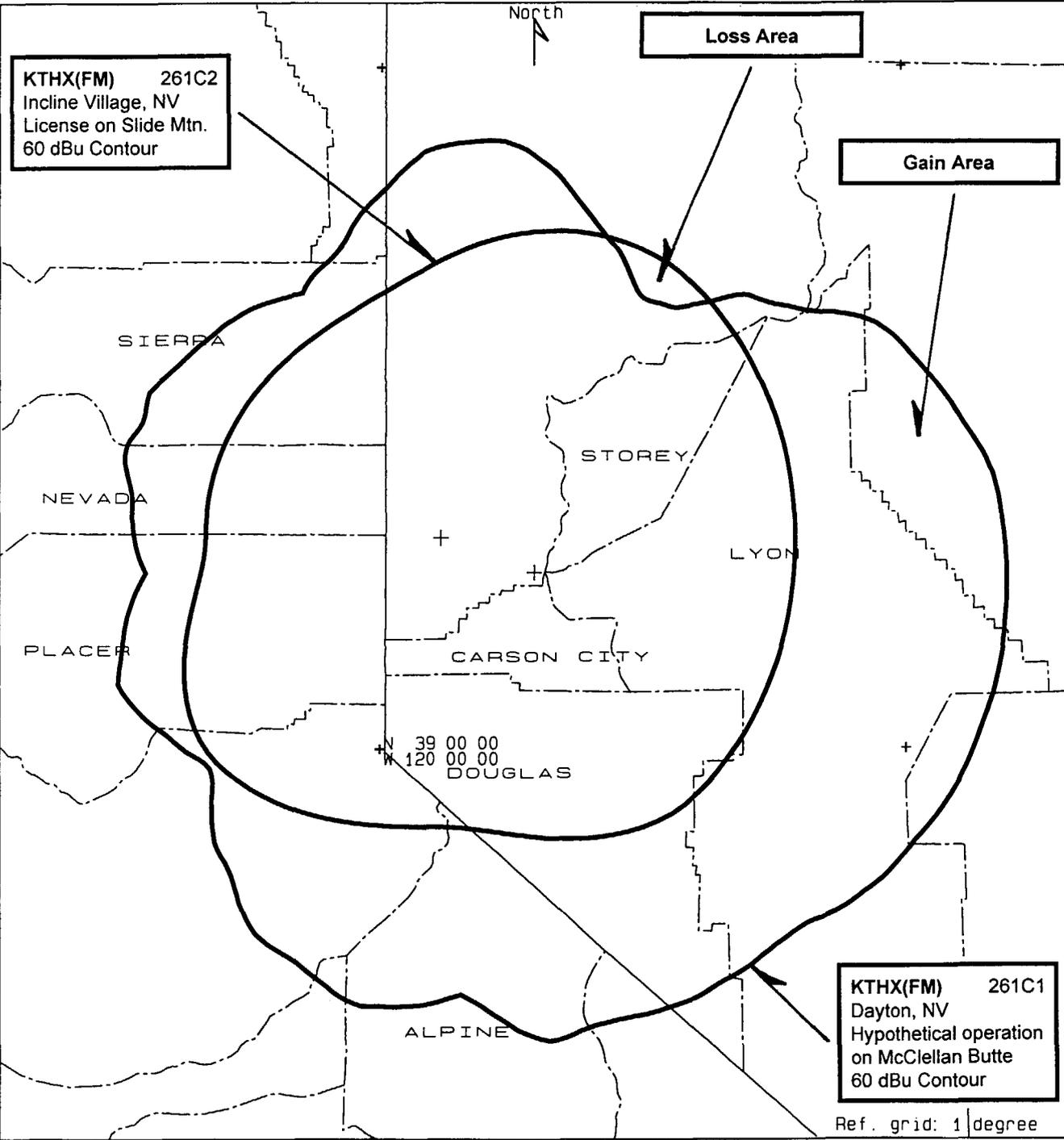
KUNR 204C Reno  
KKTO 213C Tahoe City  
KNIS 217C Carson City  
KNEV 238C Reno  
KWNZ 247C Carson City

KBUL 251C Carson City  
KZZF 275C South Lake Tahoe  
KDOT 283C Reno  
KOZZ 289C Reno  
KRNO 295C Reno

Signed this 16th day of November, 1998.



Benj. F. Dawson III, P.E.



**KTHX(FM) 261C2**  
 Incline Village, NV  
 License on Slide Mtn.  
 60 dBu Contour

**Loss Area**

**Gain Area**

**KTHX(FM) 261C1**  
 Dayton, NV  
 Hypothetical operation  
 on McClellan Butte  
 60 dBu Contour



**Gain-Loss Area Map**  
 Hatfield and Dawson