

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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In re

Amendment of Section 73.202(b)
TABLE OF ALLOTMENTS,
FM BROADCAST STATIONS
(Reno, Texas)

)
)
) MM Docket No. 99-62
) RM-9410
)
)

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To: The Chief, Allocations Branch,
Policy and Rules Division, Mass Media Bureau

COMMENTS

Thomas S. Desmond, petitioner in this proceeding, hereby files his Comments in response to the Commission's Notice of Proposed Rule Making (NPRM), DA 99-320 (released February 12, 1999), in the instant proceeding.

1. The Commission issued its NPRM in response to Mr. Desmond's Petition for Rule Making (*Petition*), which requested the initiation of a rule making proceeding looking toward the allotment of FM Channel 255A to Reno, Texas as that community's first local service. Mr. Desmond's Petition noted that his proposal did not require any other amendment to the FM Table of Allotments, because the Commission can allot Channel 255A to Reno in compliance with the Commission's spacing rules utilizing a site restriction of 13 kilometers West of the community. The NPRM suggests the allotment of Channel 255A with an appropriate site restriction. The site restriction is such that a maximum-parameter Class A facility at the reference point will provide Reno with city-grade service. Hence, a Channel 255A facility can serve Reno in complete harmony with the FM technical rules.

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2. The FCC has found merit in Mr. Desmond's Petition, for the NPRM has proposed to amend the FM Table by allotting Channel 255A to Reno. The NPRM has set April 5, 1999 as the deadline for Comments in this proceeding, and has required Mr. Desmond to file a Statement of Continuing Interest in applying for the proposed Reno facility by that date. Mr. Desmond tenders these Comments to satisfy that obligation and to reiterate his request that the Commission allot Channel 255A to the community of Reno.

3. As the proponent of the Reno allotment, Mr. Desmond hereby incorporates by reference his Petition, which demonstrated that the public interest would be served by so modifying the FM Table of Allotments. Mr. Desmond hereby restates his intention to apply for the new channel if the Commission allots the frequency and, if the Commission authorizes him to do so, to construct the new Reno facility promptly, to place the new station on the air, and to seek a license to cover his construction permit.

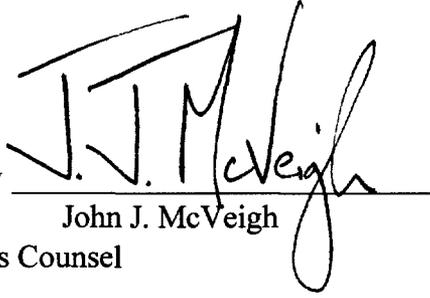
CONCLUSION

Based on the foregoing, Thomas S. Desmond respectfully urges the Commission to issue a Report and Order, as expeditiously as possible, implementing the proposal set forth in the Notice of Proposed Rule Making in this proceeding.

Respectfully submitted,

THOMAS S. DESMOND

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By 
John J. McVeigh
His Counsel

Date: February 24, 1999