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March 4, 1999

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
Room 222
445 12th Street, S.W.
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Herlong, California.

Sincerely,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009

307-778-9318

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MMB

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the matter of:)
)
Amendment of Section 73.202 (b))
)
Table of Allotments)
)
FM Broadcast Stations)
)
(Herlong, California))

RM-_____

PETITION FOR RULE MAKING

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 281C2 (104.1 Mhz) to Herlong, California as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 281C2 (104.1 Mhz) to Herlong, California and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 281C2 to Herlong will have.

DISCUSSION

2. Herlong is located in East Central California. It is also located within Plumas County, a county of some 19,739 persons. Herlong has a population of 1,200 persons in accordance with the 1999 Rand McNally Road Atlas, which is based on 1990 census data.

3. The allotment of channel 281C2 to Herlong will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Herlong is located at Alturas, California. Alturas is located 43 kilometers from Herlong. Herlong, while not incorporated, has many retail businesses as it is located just off the congested highway 395 which leads to Reno, Nevada. Herlong has also seen growth and is estimated to have a population of over 1,250 persons. It has a several businesses, a church and civic organizations.

4. Herlong would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 43 Kilometers of Herlong. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Herlong area of emergency conditions caused by severe weather or other health hazards. It is obvious from the above spacing, that Herlong is presently without local FM service.

5. Channel 281C2 can be allotted to Herlong and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Herlong, California	-----	281C2

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 281C2 and the pertinent adjacent channels to 281C2 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 41 - 14' - 23", W. 120 - 08' - 33") are that of a site located 11.8 kilometers north of the community of Herlong. A site restriction of 11.8 kilometers north will be required to allot channel 281C2 to Herlong. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Herlong. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Herlong would benefit from the allotment of channel 281C2. It has also been shown that channel 281C2 can be allotted to Herlong and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 281C2 for Herlong, California, 73.202.

8. Should channel 281C2 be allotted to Herlong, I certify that I will file an application for a Construction Permit to operate an FM station for Herlong, California.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 4, 1999

Respectfully submitted,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 281C2 (104.1 MHz), at N. 40 14 23, W. 120 8 33.

Searching Channel 281C2 (104.1 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Susanville	CA	227	C	U	43.4	35.0	303.1°	8.4
KJDX	Susanville	CA	227	C	L	43.4	35.0	303.1°	8.4
KJDX-1	Portola	CA	227	D	L	57.9	0.0	205.6°	57.9
ALC	Paradise	CA	278	B1	U	130.7	56.0	252.6°	74.7
ALC	Carnelian Bay	CA	279	C1	U	105.3	79.0	167.8°	26.3
KODS	Carnelian Bay	CA	279	C1	L	105.5	79.0	167.9°	26.5
ALC	Yuba City	CA	280	B1	U	184.0	134.0	231.4°	50.0
KXCL	Yuba City	CA	280	B1	L	184.0	134.0	231.4°	50.0
ALC	Modesto	CA	281	B	U	309.6	241.0	201.9°	68.6
KHKK	Modesto	CA	281	B	L	309.6	241.0	201.9°	68.6
ALC	Redding	CA	282	C	U	206.9	188.0	282.8°	18.9
KSHA	Redding	CA	282	C	L	206.9	188.0	282.8°	18.9
ALC	Reno	NV	283	C	U	105.2	105.0	167.8°	0.2
KDOT	Reno	NV	283	C	L	105.2	105.0	167.8°	0.2

FIGURE 1
HERLONG, CALIFORNIA
MOUNTAIN WEST BROADCASTING