

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

In the Matter of:)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations,)
(Baldwyn, Mississippi))

RM - _____

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

PETITION FOR RULE MAKING

Baldwyn Broadcasters ("Baldwyn"), by Counsel, and pursuant to §1.401 of the Commission's Rules, hereby respectfully petitions the Commission to institute Rule Making proceedings for amendment of the FM Table of Allocations to add Channel 250A (97.9 MHz) to Baldwyn, Mississippi, as its second aural FM facility, as follows:

<u>City / State</u>	<u>Existing</u>	<u>Proposed</u>
Baldwyn, Mississippi	240A	240A, 250A

In support hereof, the following is shown:

1. Approximately one year ago Baldwyn submitted its Petition for Rule Making to the Commission via U.S. Mail. When, after an extended period of time, Baldwyn did not receive any correspondence or notice from the Commission regarding its petition, it contacted the undersigned counsel to determine the status of its petition. It was recently determined that the Commission has no record of receiving Baldwyn's original petition. Therefore,

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Baldwyn has retained counsel to submit its petition and subsequently prosecute the same./¹

2. Attached hereto is Baldwyn's original petition and supporting Engineering statement.

Technical Criteria

3. The attached Engineering Statement, prepared by J. Boyd Ingram, demonstrates that Channel 250A may be allotted to the community of Baldwyn, Mississippi in compliance with Section 73.207 of the Commission's Rules regarding current spacing requirements. According to the Engineering Statement, Channel 250A may be allotted to Baldwyn at site reference coordinates North Latitude 34 - 30 - 48 and West Longitude 88 - 27 - 40. From this location, the 3.16 mV/m city-grade contour will encompass the entire community of Baldwyn.

Allotment Eligibility

4. In its petition, Baldwyn demonstrates that the community of Baldwyn, Mississippi has its own municipal government -- an elected mayor and a Board of Supervisors. In addition, Baldwyn has a police department and fire department, a utility company called Baldwyn Gas & Water, a post office, two banks and three schools. Baldwyn submits that when all of the above factors

¹ Baldwyn recently conferred with its consulting engineer to determine if the technical statement supporting its petition remains accurate. Baldwyn consulting engineer verified that Channel 250A remains available for allotment to Baldwyn, Mississippi in the manner set forth in the attached technical statement.

are considered, the Commission should agree that Baldwin, Mississippi has a geographically identifiable population grouping. *See, FM Channel Assignments: Middletown, California, 69 RR 2d 1626 (MMB 1991); Oak Grove, FL, 5 FCC Rcd 3774 (1990).*

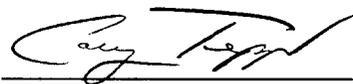
Statement of Interest

5. Baldwin expresses its intention to apply for Channel 250A at Baldwin, Mississippi, if that Channel is allotted by the Commission, and that further, if its Application is granted, to construct and operate that facility.

WHEREFORE, the above premises considered, Baldwin respectfully urges the Commission to GRANT the instant Petition, and to AMEND the Table of FM Allotments to specify Channel 250A at Baldwin, Mississippi.

Respectfully submitted,

BALDWIN BROADCASTERS

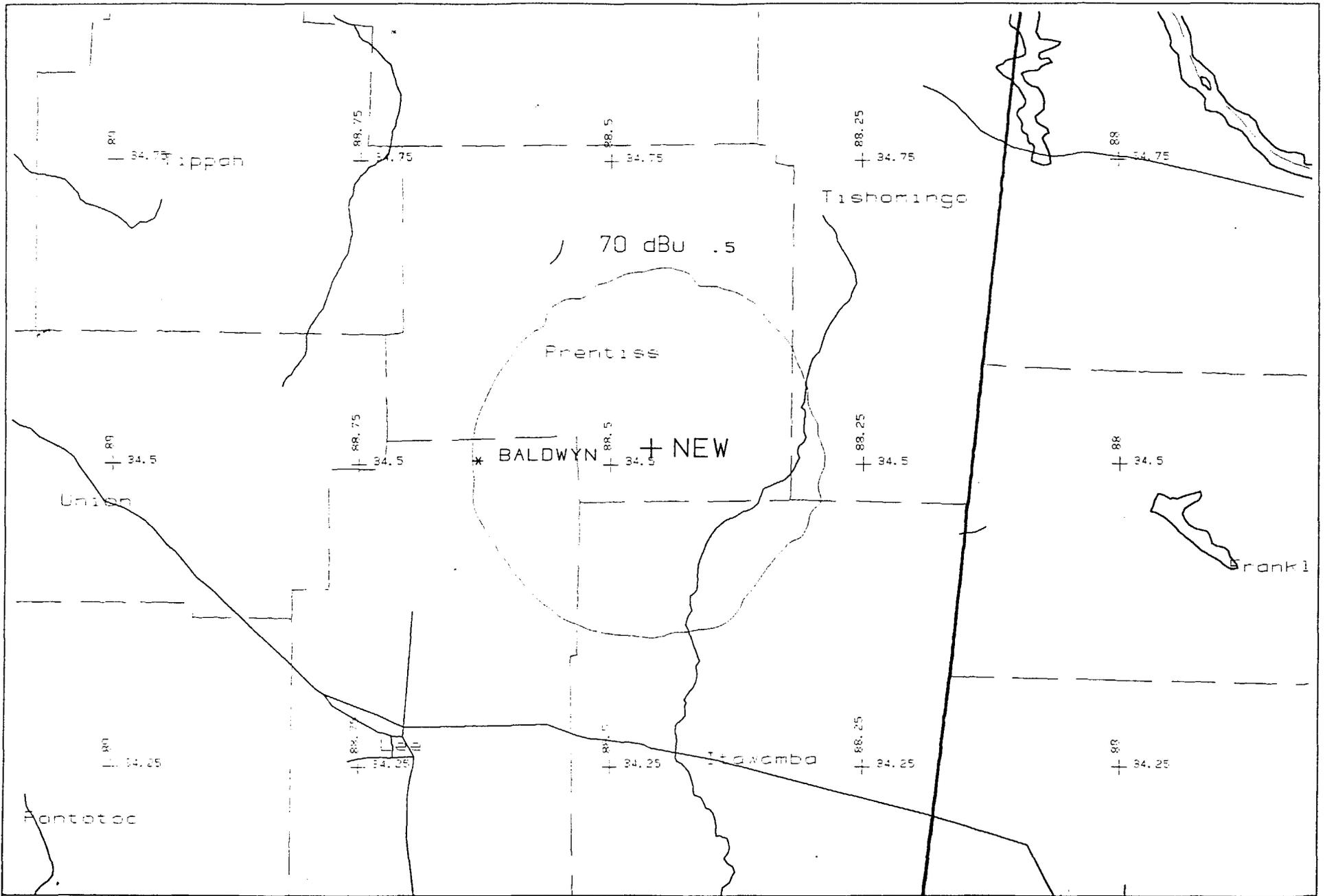
By: 
Cary S. Tepper

Its Attorney

Booth, Freret, Imlay & Tepper, P.C.
5101 Wisconsin Avenue, N.W.
Suite 307
Washington, D.C. 20016-4120

(202) 686-9600

March 16, 1999



J BOYD INGRAM - BROADCAST CONSULTANT
POB 73 BATESVILLE MS 38606

BALDWIN
ADD CHANNEL 250A

REFERENCE

34 30 48 N

88 27 40 W

CLASS A

Current rules spacings

DISPLAY DATES

DATA 07-30-98

SEARCH 09-03-98

----- CHANNEL 250 - 97.9 MHz -----

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
WWMS	248C1	Oxford	MS	239.2	74.56	75.0	-0.44 *
WZLQ	253C1	Tupelo	MS	239.2	74.56	75.0	-0.44 *
WSIXFM	250C	Nashville	TN	40.5	225.75	226.0	-0.25 *
WSHK	249A	Russellville	AL	82.5	72.30	72.0	0.30 <
WSRRFM	251C1	Millington	TN	300.6	146.27	133.0	13.27
WSRRFM	251C1	Millington	TN	300.6	146.32	133.0	13.32
WTXT	251C1	Fayette	AL	154.3	146.66	133.0	13.66



BALDWIN, MISSISSIPPI

LEE and PRENTISS COUNTIES

LOCATION-Distance from:

Nearby City	Miles
Memphis, TN	113
Birmingham, AL	160
Jackson, MS	186

CLIMATE

Average Temperature: Annual	60
Jan.	39
July	80
Average Rainfall	54 inches

POPULATION	1990	1980	1970
County	23,278	24,025	20,133
City	3,204	3,427	2,366
Community Area Population (Including Adjacent Counties)	199,889		

COMMUNITY FACILITIES

Hospitals: Number		Beds	
Clinics: Number	1	Beds	
Doctors	4	Dentists	2
Number of Hotels/Motels			1
Total Number of Rooms			8
Churches (Number):	Protestant		11
	Catholic	Jewish	
Race Track		Skating Rink	
Bowling		Ball Field	4
Country Club		Swimming Pool	1
Movie		Tennis Court	1

EDUCATION

Type	No.	Grades	Teachers	Students
Elementary	1		33	546
Junior High	1		16	253
High School	1		24	240
Private & Parochial				

TRANSPORTATION**Railroads:****Gulf & MS**

Highways:

Federal	45
State	30, 348, 366, 145,370
Other	

Motor Freight Carriers:

**12 Motor
Freight
Carriers
Serve Baldwin**

Air Service:

**Nearest Commercial Airport: Tupelo,
Local Airport: Yes, Booneville
Runway Length 3,400 Feet
Bus Service Trailways
Parcel Service 2**

Waterways:

**Nearest Navigable Waterway & Channel Depth:
Tennessee-Tombigbee Waterway
9'
Port Facilities: Yes**

FINANCIAL INSTITUTIONS

Banks: 2

Combined Assets \$ 11,381,035,603

Savings and Loan Associations: 1

Combined Assets \$

TAXES

(Tax Year 1995)

LOCAL:

City

County

Average Millage
Rate82.80103.11**STATE:**

Type

Assessment
Ratio %

Residential Property Owner Occupied	10%
Other	15%

Industrial & Commercial

Real Property	15%
Personal Property	15%
Corporate Income	3.00%
Retail Sales	7.00%
Intangibles	15%

Individual Income:

Minimum Rate	3%
Maximum Rate	5%
Gasoline	18 cent/gal.

LABOR ANALYSIS-COUNTY**PRENTISS COUNTY**

Civilian Labor Force	12,660
Employment	11,860
Total Unemployment	800
Rate	6.3% %

LEE COUNTY

Civilian Labor Force	38,830
Employment	37,270
Total Unemployment	1,560
Rate	4.0%

MAJOR INDUSTRIES

<u>Name</u>	<u>Product or Service</u>	<u>Total Employees</u>	<u>Union</u>
American Timber Co. - (Lee)	Hardwood Kiln Dried Lumber	12	
Baldwyn News - (Lee)	News, Shoppers Extra	10	
J. B. Printing - (Prentiss)	Silk Screening & Signs	5	
Lucky Star Industries - (Lee)	Men's Jeans	400	N
MS Cabinet Co., Inc. - (Prentiss)	Wood Cabinets	10	
River Crest Furn. - (Prentiss)	Upholstered Furniture	500	N
So. Diversified Ind. - (Prentiss)	Plastic Products	100	N
Sunrise Medical BioClini(Prentiss)	Foam Hospital Supplies	130	N

AVAILABLE INDUSTRIAL PROPERTIES

Charles M. Gordon Industrial
Park 165 acres

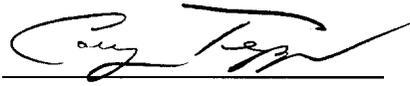
LOCAL DEVELOPMENT AGENCY

PRENTISS COUNTY
DEVELOPMENT ASSOCIATION
(601) 728-3505

CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 16th day of March, 1999, I have served a copy of the foregoing "**Petition for Rule Making**" first-class, postage-prepaid, on the following:

*John A. Karousos
Chief, Allocations Branch
Federal Communications Commission
445 12th Street, S.W.; Room A-321
Washington, D.C. 20554

A handwritten signature in cursive script, appearing to read "Cary Tepper", written over a horizontal line.

Cary S. Tepper, Esq.

*/ indicates delivery by hand