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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
Stevensville, MT)

To: John A. Karousos, Chief
Allocations Branch

PETITION FOR RULE MAKING

The Battani Corporation submits this Petition for the FCC's initiation of a Rule Making proceeding to amend Section 73.202(b) of the FCC's rules to allot FM channel **300C2** to **Stevensville, MT** as that community's "first local aural service."

Stevensville, which is located in **Missoula** County, is a Census Designated Place (1990 Census) in southwestern Montana. Its population in 1990 was approximately 1,221 persons. **Stevensville**, an incorporated town, has a city council and a mayor. It boasts its own local police department, fire department, library, post office, and town hall. Like other "communities" to which the FCC has allotted a "first local aural service," **Stevensville** has local churches, commercial shops, medical clinic, real estate agents and its own school system.

Petitioner has determined that channel **300C2** can be allocated to **Stevensville** in full compliance with the FCC's FM spacing rules and allotment policies. See Attachment. From the fully-spaced reference coordinates (see Attachment), full city-grade (70 dBu) service can be provided to the entire community.

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A grant of the requested allotment would serve the public interest and meet the FCC's allotment priorities by providing a "first local aural service" to **Stevensville**. See Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7094, 7096 (1990).

Upon the FCC's allotment of the channel as requested and following the opening of an appropriate filing window, Petitioner will submit an application for the channel and, if granted, will promptly build the new facility.

WHEREFORE, Petitioner urges that the FCC initiate a Rule Making proceeding, receive comments and ultimately amend the FM Table of Allotments as follows:

<u>Community</u>	<u>Present Allotments</u>	<u>Proposed Allotments</u>
Stevensville, MT	--	300C2

Respectfully submitted,



Robert Lewis Thompson
TAYLOR THIEMANN & MITKEN, L.C.
908 King Street, Suite 300
Alexandria, VA 22314
(703) 836-9400

Counsel for Battani Corporation

March 19, 1999

ENGINEERING STATEMENT
Proposed Allotment of Channel 300C1 to Stevensville, Montana

The information and data contained within this engineering statement were prepared on behalf of Batanni Corporation, in support of a petition for rule making. The petitioner proposes to amend the FM Table of Allotments, 47 C.F.R. § 73.202(b) of the Commission's Rules, by allotting Channel 300C1 to Stevensville, Montana.

Currently, Stevensville has no other aural broadcast services. At a point corresponding to the following geographic coordinates the Channel 300C1 allotment can be made at Stevensville in compliance with the minimum distance separation requirements 47 C.F.R. § 73.207.

North Latitude: 46 degrees, 27 minutes, 16 seconds
West Longitude: 113 degrees, 56 minutes, 14 seconds

From these reference geographic coordinates, Channel 300C1 is fully-spaced to all FCC assignments, allotments and proposals contained within the latest *FCC FM Engineering Database*. All distances were computed by the methods outlined in § 73.208(c) of the Commission's Rules and were rounded to the nearest kilometer in accordance with § 73.208(c)(8).

The results of this study demonstrate that the FM Table of Allotments in § 73.202(b) of the Commission's Rules may be amended in technical compliance with all applicable spacing rules. Therefore, the Petitioner, Batanni Corporation, respectfully requests the following changes to the Table:

PRESENT	
CITY	CHANNEL
Stevensville, Montana	----

PROPOSED	
CITY	CHANNEL
Stevensville, Montana	300C1



Lawrence L. Morton, P.E.
Consulting Engineer to the Petitioner
March 18, 1999

