

TWB204



Federal Communications Commission  
Washington, D.C. 20554  
DOCKET FILE COPY ORIGINAL

June 3, 1999

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

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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FCC MAIL SECTION

Dear Mr. Michael:

This is in response to the petition for rule making you filed on March 19, 1999, requesting the allotment of Channel 272C2 at Cottonwood, Texas.

We have reviewed your proposal and find that it is unacceptable for rule making at this time. A staff engineering analysis indicates that Channel 272C2 at your proposed site (32-13-00 and 99-12-00) conflicts with counterproposals filed in MM Docket No. 98-198. See 13 FCC Rcd 20965 (1998). Specifically, Channel 272C2 is short-spaced to the proposal to substitute Channel 272C1 for Channel 271C at Wichita Falls, Texas, and modify the license for Station KWFS to specify operation on 271C1 and to substitute Channel 272C3 for Channel 296C3 at Coleman, Texas, and modify the license for Station KSTA accordingly.

Based on the above discussion, we are returning your petition for Cottonwood. You may refile your petition for Channel 272C2 once MM Docket 98-198 has been terminated should the above-mentioned substitutions be denied. Alternatively, you may wish to determine if another channel is available that is not dependent on the outcome of MM Docket No. 98-198.

Sincerely,

John A. Karousos  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

Enclosure

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

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MAR 19 1999  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the matter of: )  
 )  
Amendment of Section 73.202 (b) )  
 )  
Table of Allotments ) RM- \_\_\_\_\_  
 )  
FM Broadcast Stations )  
 )  
(Cottonwood, Texas) )

**PETITION FOR RULE MAKING**

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 272C2 (102.3 Mhz) to Cottonwood, Texas as its first local FM allotment.

**INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 272C2 (102.3 Mhz) to Cottonwood, Texas 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 272C2 to Cottonwood will have.

**DISCUSSION**

2. Cottonwood is located in Central Texas. It is also located within Callahan County, a county of some 11,859 persons. Fritch has a population of 156 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 272C2 to Cottonwood will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Cottonwood is located at Abilene, Texas. Abilene is located 38 kilometers from Cottonwood.

It is obvious that from the above spacing that Cottonwood is presently without local FM service.

4. Cottonwood would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 38 Kilometers of Cottonwood. 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 Cottonwood area of emergency conditions caused by severe weather or other health hazards.

5. Channel 272C2 can be allotted to Cottonwood 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>
Cottonwood, Texas	-----	272C2

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 272C2 and the pertinent adjacent channels to 272C2 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 32 - 13' - 00", W. 99 - 12' - 00") are that of a site located within the community of Cottonwood. No site restriction will be required to allot channel 272C2 to Cottonwood. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Cottonwood. These sites would also provide full minimum spacing requirements to other allotments.

#### CONCLUSION

7. It has been shown that Cottonwood would benefit from the allotment of channel 272C2. It has also been shown that channel 272C2 can be allotted to Cottonwood 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 272C2 for Cottonwood, Texas , 73.202.

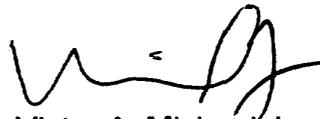
8. Should channel 272C2 be allotted to Cottonwood, I certify that I will file an application for a Construction Permit to operate an FM station for Cottonwood, Texas.

## 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 18, 1999

Respectfully submitted,



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

307-778-9318

MAPFM search of channel 272C2 (102.3 MHz), at N. 32 13 0, W. 99 12 0.

Searching Channel 272C2 (102.3 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
KHPU	Brownwood	TX	219	A	C	57.2	14.0	162.0°	43.2
ALC	San Angelo	TX	270	C1	U	143.8	79.0	234.5°	64.8
KWFR	San Angelo	TX	270	C1	L	141.8	79.0	235.5°	62.8
ALC	Llano	TX	271	A	A	170.8	105.0	166.2°	65.8
ALC	Fort Worth-Dallas	TX	271	C	U	213.2	188.0	79.1°	25.2
KTXQ	Fort Worth-Dallas	TX	271	C	L	213.2	188.0	79.1°	25.2
ALC	Austin	TX	272	C2	U	258.9	190.0	149.8°	68.9
ALC	Vernon	TX	272	A	U	214.9	163.0	358.3°	51.9
KPEZ	Austin	TX	272	C2	L	256.8	190.0	149.4°	66.8
KVWCFM	Vernon	TX	272	A	L	214.9	163.0	358.3°	51.9
ALC	Mason	TX	273	C2	A	175.4	130.0	184.5°	45.4
ALC	Hillsboro	TX	273	C1	U	197.6	158.0	102.7°	39.6
KBRQ	Hillsboro	TX	273	C1	L	197.6	158.0	102.7°	39.6
ALC	Merkel	TX	274	C1	U	90.8	79.0	283.3°	11.8
KHXS	Merkel	TX	274	C1	L	88.1	79.0	284.3°	9.1

FIGURE 1  
CHANNEL SPACING STUDY  
COTTONWOOD, TEXAS  
MOUNTAIN WEST BROADCASTING