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Federal Communications Commission
Washington, D.C. 20554

June 15, 1999

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FCC MAIL SECTION

Mr. Willison H. Gormly
President, Sierra Grande Broadcasting
P.O. Box 51
Des Moines, New Mexico 88418-0051

Dear Mr. Gormly:

This is in response to your letter of April 10, 1999, withdrawing your petition for rule making to allot Channel 284C2 to Des Moines, New Mexico, because of a conflict with the proposed allotment of Channel 284C2 at Eagle Nest, New Mexico (MM Docket No. 99-121).

In your letter, you state that you will be submitting a petition for rule making for one of your alternate FM choices or an application for an AM station. Should you choose to submit a new petition to allot an FM channel, Section 1.52 of the Commission's Rules requires that pleadings, including petitions for rule making, which are not filed by legal counsel, be verified by the petitioner that the statements contained in the pleading are true to the best of the filer's knowledge. Your petition requesting the allotment of Channel 284C2 to Des Moines did not include such a verification statement. Failure to provide the statement could result in the dismissal of any petition which you may submit.

Accordingly, your petition filed February 16, 1999, to allot Channel 284C2 to Des Moines, New Mexico, is dismissed.

Sincerely,

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

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Sierra Grande Broadcasting
PO Box 51
Des Moines, New Mexico 88418-0051

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APR 13 1999

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April 10, 1999

Federal Communications Commission
Washington, DC 20554

Reference MM Docket No. 99-121, RM-9552

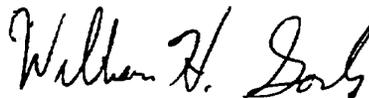
The request of Mountain West Broadcasting for 284C2 at Eagle Nest, New Mexico will make my request for 284C2 at Des Moines, New Mexico mutually exclusive. There is only a separation of 126 km between the two sites, and the minimum separation is 190 km.

I request that my Petition for Rule Making of 73.202(b) for 28C2 at Des Moines, New Mexico be withdrawn.

I had mailed my original Petition for Rule Making on February 10, 1999, and my Amendment to Petition for Rule Making on February 25, 1999 when I discovered that I had made two errors in my engineering spreadsheet. The two errors had reduced the separation between stations from what they actually were. The Bloomfield, New Mexico station that originally affected my station was no longer within 300 km of my site when I corrected the errors. When I did my engineering spreadsheet this allocation was not listed on the FCC database that I got off the Internet. I discovered it last night when I was looking on the Internet to see how my petition was going since I had not received a notice back from the FCC on my petition. I had received a letter back from the FCC when I made errors on my petition for 284C at Des Moines in January.

The Eagle Nest location has less possibilities for higher class stations than there are here. I will be submitting a petition for rule making for one of my alternate choices, or an application for a construction permit for an AM station. I am still trying to figure out if the freeze on applications for construction permits is still on. The way I read 47 CFR 73.3520, I cannot submit applications for construction permits for three FM stations at the same time to serve Des Moines, New Mexico.

Sincerely



Willison H. Gormly
President

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