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August 19, 1999

Of Counsel
Robert Bennett Lubic*

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AUG 19 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

*not admitted in MD

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, S.W.
Washington, DC 20554

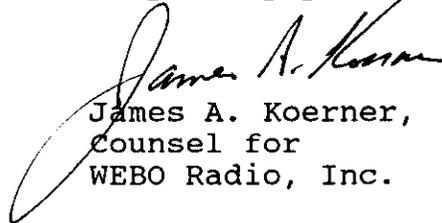
Re: MM Docket No. 99-245
RM-9680

Dear Ms. Salas:

On behalf of WEBO Radio, Inc., there are transmitted herewith an original and four (4) copies of its Comments in response to the Notice of Proposed Rule Making in the above-referenced proceeding looking toward the reallocation of FM Channel 269A from Owego to Johnson City, New York.

Should additional information be necessary in connection with this matter, please communicate with this office.

Very truly yours,


James A. Koerner,
Counsel for
WEBO Radio, Inc.

cc: Mr. Steve Gilinsky

Before the
Federal Communications Commission
Washington, D.C. 20554

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AUG 19 1999

ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 99-245
Table of Allotments,) RM-9680
FM Broadcast Stations.)
(Owego and Johnson City, New York))

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

COMMENTS OF WEBO RADIO, INC.

WEBO Radio, Inc. ("petitioner"), by its attorneys, hereby submits its Comments in response to the Notice of Proposed Rule Making in the captioned matter, released July 2, 1999.

Petitioner requested that Channel 269A be reallocated from Owego, New York, to Johnson City, New York, and that the license of petitioner's Station WLTB be modified to specify Johnson City as its community of license. This petition was filed pursuant to the provisions of Section 1.420(i) permitting such modifications without affording other interested parties an opportunity to file competing expressions of interest.

Petitioner hereby restates its intention to apply for the modification if the requested reallocation is made, and, if authorized, to construct the station promptly.

As the Commission found in the Notice, this proposal would provide Johnson City, an incorporated community of substantial size, with its first local aural service. At the same time, Owego, a community with only about 25% of the Johnson City population, would continue to receive local aural service from Station WEBO. No additional information demonstrating the independence of Johnson City from Binghamton was requested.

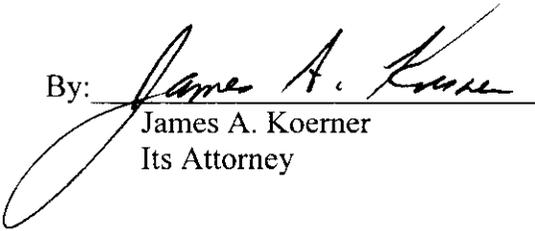
The Notice did request that the petitioner provide information showing the areas and populations which would gain service and lose service if the proposal is adopted, and the reception services presently available within these areas.

Attached hereto is an Engineering Statement prepared by Smith and Fisher setting forth, and showing the location of, the areas which would gain service and which would lose service, and the populations in each. The Engineering Statement also contains a map demonstrating that there are more than five aural services available in the totality of the area. Accordingly, the proposal would have negligible affect on the population, which would lose service.

Accordingly, it is requested that the proposal set forth in the Notice of Proposed Rule Making be adopted.

Respectfully submitted,

WEBO RADIO, INC.

By: 

James A. Koerner
Its Attorney

KOERNER & OLENDER, P.C.
5809 Nicholson Lane
Suite 124
North Bethesda, MD 20852-5706
(301) 468-3336

August 19, 1999

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of WEBO RADIO, INC., licensee of WLTB(FM), Channel 269A in Owego, New York, in support of its Petition for Rulemaking to change the city of license to Johnson City, New York. The FCC issued a Notice of Proposed Rulemaking (MM Docket No. 99-245, RM-9680) on June 23, 1999. In it, the Commission requested an analysis of gain and loss area as well as a showing of other aural services available to these areas of interest.

Exhibit B is a map upon which the licensed WLTB 60 dBu contour is plotted. Also shown is the same contour that would obtain from the allotment site for the Johnson City proposal (assuming an effective antenna height of 1900 feet above mean sea level and an effective radiated power of 1.7 kw, the equivalent of a maximum Class A facility).

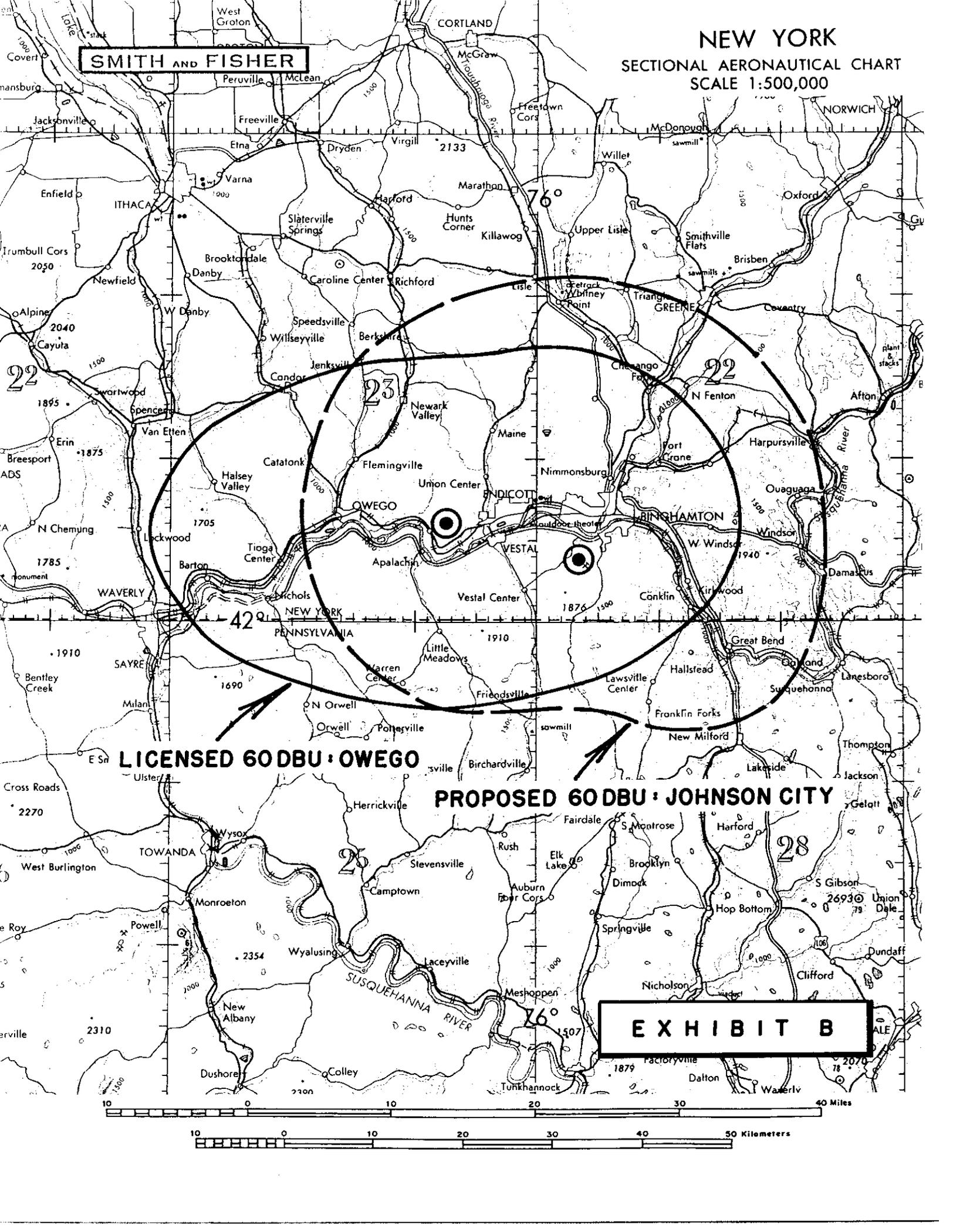
These contours were then transferred to U.S. Census Department MCD maps and the population counted manually (based upon 1990 census data) within the gain, loss, and common areas. Uniform population distribution within minor civil divisions was assumed for this study. In addition, area values were determined by compensating polar planimeter. The following table summarizes the results of this analysis:

	<u>Area (km²)</u>	<u>Population</u>
Common Area	1,592	218,179
Loss Area	518	17,997
Gain Area	847	24,970
Total Area – Owego	2,110	236,176
Total Area – Johnson City	2,439	243,149

NEW YORK

SECTIONAL AERONAUTICAL CHART
SCALE 1:500,000

SMITH AND FISHER



LICENSED 60 DBU : OWEGO

PROPOSED 60 DBU : JOHNSON CITY

EXHIBIT B

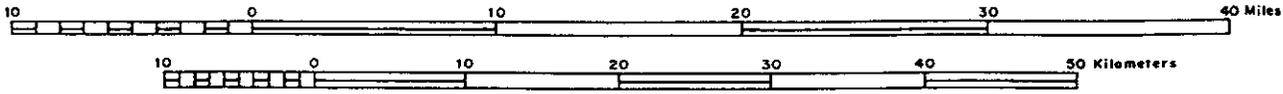
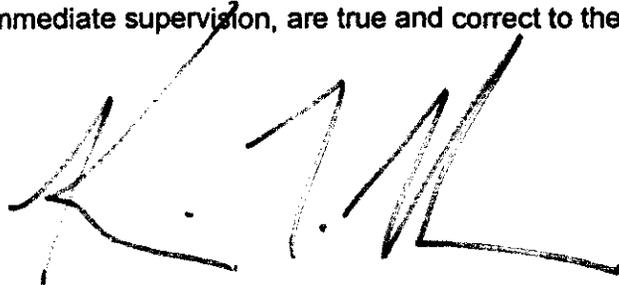


EXHIBIT A

From the above numbers, it is clear that a change in the WLTB city of license from Owego to Johnson City results in a significant increase in population and area served by the station.

With respect to other aural services, Exhibit C is a map upon which the two contours of WLTB are plotted in relation to the primary service contours of other licensed commercial AM and FM stations in the area. This map was produced by DataWorld. As shown, there are numerous other station signals (more than five) available to listeners within the WLTB loss area. Therefore, the impact of the station's move to Johnson City will not be as significant as it would be if there were less than five other aural services available to this area.

I declare, under penalty of perjury, that the foregoing statements and attached exhibits, which were prepared under my immediate supervision, are true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read 'K. T. Fisher', with a stylized, cursive-like script.

KEVIN T. FISHER

August 17, 1999

