

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554  
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In the Matter of )  
)  
Amendment of Section 73.202(b) )  
FM Table of Allotments )  
Radio Broadcast Stations )  
(Burnet, Texas) )

MM Docket No. \_\_\_\_\_  
RM - \_\_\_\_\_

TO: Magalie Roman Salas, Secretary  
Federal Communications Commission  
for direction to  
John A. Karousos, Chief  
Allocations Branch, Policy & Rules Division  
Mass Media Bureau

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SEP 30 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

PETITION FOR RULE MAKING

Pursuant to § 1.401 of the Commission's Rules, Elgin FM Limited Partnership ("Elgin FM") hereby requests that the Commission's FM Table of Allotments set forth in § 73.202(b) of its Rules be amended so as to allot Channel 240A to Burnet, Texas. The current and proposed allocation for Burnet in Section 73.202(b) would thus appear as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Burnet	223A, 295A	223A, 295A 240A

In support of Elgin FM's request, the following is shown:

1. Submitted herewith is an Engineering Statement prepared by Mullaney Engineering, Inc. for Elgin FM. That Statement establishes that Channel 240A can be allotted to Burnet consistently with the Commission's Rules.

2. Burnet warrants the proposed allotment as it would provide that community with its third FM service. Burnet, the county seat of Burnet County, Texas, has an estimated 1990 U.S. Census population of 3,423, which increased to 4,330 in 1995

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(according to information distributed by the Burnet Chamber of Commerce). Burnet has its own city offices (manager form of government), including police and fire, park services, light and water, and a library. Burnet has five public schools (two (2) elementary, two (2) middle and one (1) high school), one (1) private school), sixteen (16) churches, a post office, a clinic, a hospital, four (4) parks, one (1) swimming pool and two (2) public golf courses. There are several businesses located in Burnet, including several banks, grocery stores, restaurants, inns/bed and breakfasts, beauty salons, and professional offices (e.g., doctors, dentists). See Burnet Chamber of Commerce relocation packet).

3. Burnet has one weekly newspaper -- the *Burnet Bulletin* and one paper which is published three (3) time a week -- the *Highlander*. As previously noted, two other FM radio stations and one standard broadcast station are presently licensed to Burnet. The proposed allotment would provide an additional local competitive viewpoint to that which is offered by the print media and aural service present in Burnet.

4. Elgin FM hereby represents that it will promptly apply for authorization to construct and operate a radio station on Channel 240A at Burnet if the Commission allots Channel 240A to Burnet.

Accordingly, for the foregoing reasons, Elgin FM Limited Partnership respectfully requests that the Commission amend the FM Table of Allotments to include the allotment of Channel 240A to Burnet, Texas.

Respectfully submitted,

*Ann C. Farhat*

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202/833-4190

Counsel for Elgin FM Limited  
Partnership

September 30, 1999

**MULLANEY ENGINEERING, INC.**

9049 SHADY GROVE COURT  
GAITHERSBURG, MD 20877

**ENGINEERING EXHIBIT EE:**

**ELGIN FM LIMITED PARTNERSHIP  
BURNET, TEXAS  
ALLOTMENT OF FM CHANNEL 240A**

**SEPTEMBER 23, 1999**

**ENGINEERING STATEMENT IN SUPPORT OF A  
PETITION FOR RULE MAKING  
TO AMEND  
THE FM TABLE OF ASSIGNMENTS**

**ORIGINAL  
SIGNATURE**

ENGINEERING EXHIBIT EE:

**ELGIN FM LIMITED PARTNERSHIP  
BURNET, TEXAS  
ALLOTMENT OF FM CHANNEL 240A**

TABLE OF CONTENTS:

1. Declaration of Engineer
2. Narrative Statement.
3. Figure 1, Channel Allocation Study for Ch. 240A.  
from the Requested Reference Coordinates.
4. Figure 2, Allowable Area Map for Ch. 240A.

**DECLARATION**

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an engineer in the firm of Mullaney Engineering, Inc., and that firm has been retained by Elgin FM Limited Partnership to prepare an engineering statement in support of a Petition to Amend the FM Table of Assignments.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

  
John J. Mullaney

Executed on the 23rd day of September 1999.

ENGINEERING EXHIBIT EE:

ELGIN FM LIMITED PARTNERSHIP  
BURNET, TEXAS  
ALLOTMENT OF FM CHANNEL 240A

NARRATIVE STATEMENT:

I. GENERAL:

This engineering statement has been prepared on behalf of Elgin FM Limited Partnership ("Elgin FM"). The purpose of this statement is to support a request that the FM Table of Assignments be amended to allot Channel 240A at Burnet, Texas. This requested allotment will be the fourth aural service licensed to Burnet, Texas.

It should be noted that the area in question is not within 290 kilometers (180 miles) of a U.S. Border and, therefore, foreign concurrence is not required.

II. ENGINEERING DISCUSSION:

A. Proposed Site:

The following geographic coordinates are for a special reference point which is 11.2 kilometers (7 miles) north-northwest of Burnet, Texas:

Latitude: 30<sup>o</sup> 51' 05"  
Longitude: 98<sup>o</sup> 17' 35"

The proposed site will provide an unobstructed view of the City of License, Burnet, Texas and is located close enough to serve the entire Community with the required 3.16 mV/M contour.

**B. Channel Allocation Study:**

Figure 1 is a Channel Allocation Study from the Special Reference Point proposed herein which indicates the required separation in kilometers to all known Licenses, Construction Permits, Open Allocations, pending Applications, and pending Rule Makings. From this study it can be determined that the proposed special reference point exceeds all of the minimum separations. There are no known Mexican problems associated with this allocation.

Figure 2 is a map which illustrates these restrictions and the resulting area in which the tower site must be located.

**C. Public Interest Showing:**

The proposed facility will provide a 60 dBu service to 21,660 persons based upon the 1990 census.

According to that same census the community of Burnet, Texas (Burnet County) has a population of 3,423 persons.

Based upon the above reasons Elgin FM believes that the requested channel allotment is in the Public Interest and should therefore be granted by the Commission.

III. SUMMARY:

Elgin FM Limited Partnership requests that the FM Table of Assignments be amended to allot FM Channel 240A at Burnet, Texas.

City	Present	Proposed
Burnet, Texas	223A, 295A	223A, 295A 240A

Elgin FM believes that the proposed allotment will Serve the Public Interest. If allotted, Elgin FM will promptly apply for the facility.

September 23, 1999.

  
\_\_\_\_\_  
John J. Mullaney

RM	240 A	FM	POLARIZATION	ERP (KW)	HAAT	RCMSL
BURNET TX	US		HOR PLN	BM TILT	(METER)	(METER)
30.5105	98.1735	(D.MMSS)	HORIZONTAL	6.000	0.000	100.0
			VERTICAL	6.000	0.000	100.0

THE FOLLOWING CONTOURS ARE CALCULATED USING:

CALCULATED HAAT FROM TOPO DATA BASE

ERP= 6.000 (KW) 7.8 (DBK) HAAT= 100.0 (METERS)

INTERFERING	DOMESTIC
	DBU KM
CO CHANNEL ( 40.0)	86.7
1ST ADJACENT ( 54.0)	43.7
2ND ADJACENT ( 80.0)	9.1
3RD ADJACENT (100.0)	2.8
PROTECTED ( 60.0)	28.3
CITY GRADE ( 70.0)	16.2

AZIMUTH	HAAT	HAAT	CONTOURS (KM)
DEGREES	(METERS)	(FEET)	70 DBU 60 DBU
0.0	58.0	190.3	12.4 22.1
45.0	67.9	222.6	13.2 23.7
90.0	86.5	283.8	14.9 26.4
135.0	50.3	164.9	11.5 20.6
180.0	99.2	325.4	16.1 28.2
225.0	186.4	611.5	22.2 37.7
270.0	164.8	540.8	21.0 35.7
315.0	87.0	285.3	14.9 26.5
AVERAGE	100.0	328.1	16.2 28.3

SPECIAL REFERENCE POINT

EST SITE ELEVATION : 403.9 m.; 1325.0 ft.  
 EST RAD CENTER AGL : 102.4 m.; 335.8 ft.  
 RAD CENTER A.M.S.L.: 506.2 m.; 1660.8 ft.

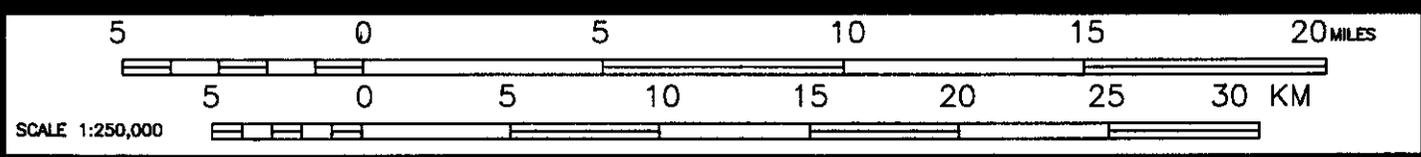
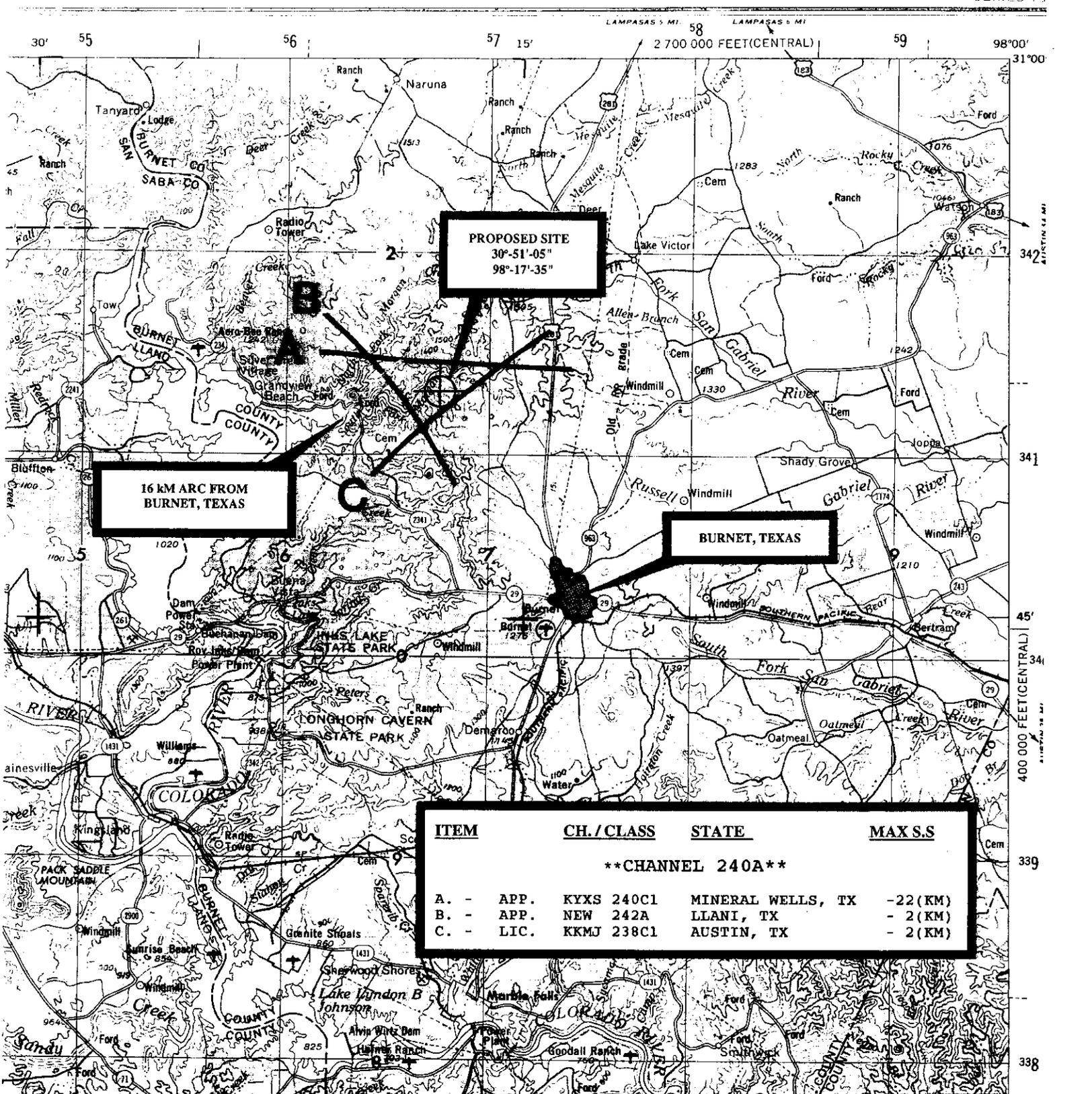
\*\*\*\*\*  
 \*\*\*THE MEXICAN BORDER IS 300.4 KM ON A BEARING OF 230.4 DEG. TRUE\*\*\*  
 \*\*\*\*\*

AZIMUTH	FROM	TO	CALL	STS	FILE NUMBER	CITY	ST C	LAT (D.MMSS)	LONG	REL CHN	ERP (KW)	HAAT	D I-CON	P-CON	IR	IC	REZLT
											HORZ VERT	(M)	A F5010	F5050	DIST	RSEP	IR IC
													(KM)	(KM)	(KM)	(KM)	(KM)
141.1	321.3	KKMJFM	LIC		BLH980717KH	Austin	TX A	30.1923	97.4758	2ND 238C1	50.0B50.0B	398			75.3	75.	C
59.7	240.2	KCKR	LIC		BLH940610KZ	Waco	TX A	31.1917	97.2041	2ND 238C	100.H100.V	326D			104.4	95.	
54.5	235.1	KCKR	CP		BPH970716IB	Waco	TX A	31.3051	97.1143	1ST 239C2	24.H 24.V	1540			127.9	106.	
**COMMENT**One-Step Application-From Channel 238C																	
253.5	72.9		ADD		RM9337	Mason	TX A	30.3324	99.2534	1ST 239C2	H V				113.4	106.	C
**COMMENT**Accepted as Class B by Mexico 990413																	
3.5	183.6		VAC			Mineral W	TX A	32.4106	98.0932	CO 240C1	H V	0			203.7	200.	C
**COMMENT**Site Restricted-Effective 4-20-92-RSVD For KYXSFM Per D90-555																	
4.7	184.8	KYXSFM	LIC		BLH910517KD	Mineral W	TX A	32.4842	98.0611	CO 240C3	25.0H25.0V	87			218.1	142.	
3.6	183.6	KYXSFM	APP		BPH961125IG	Mineral W	TX A	32.3935	98.0934	CO 240C1	23.5H23.5V	512			200.9	200.	C
**COMMENT**From Channel 240C3 per D90-555																	
2.5	182.6	KYXS	ADD		RM9547	Mineral W	TX A	32.3915	98.1158	CO 240C3	H V	0			200.1	142.	
**COMMENT**From CH 240C3; located 18.7 km SW of Mineral Wells																	
193.5	13.4	KXXM	LIC		BLH930921KD	San Anton	TX A	29.3800	98.3750	1ST 241C1	100.B100.B	182			138.9	133.	C
255.5	75.3	NEW	APP		BPH970814MI	Llano	TX A	30.4550	98.4058	2ND 242A	6.H 6.V	18			38.5	31.	C
**COMMENT**Petition for Recon & Motion for Stay D95-49 970701.-ERP is hig																	
235.5	55.3	NEW	APP		BPH970815ME	Llano	TX A	30.4112	98.3416	2ND 242A	2.9H 2.9V	140D			32.3	31.	C
**COMMENT**Petition for Recon & motion for stay D95-49 970701.-ERP exceed																	
260.1	79.9	NEW	APP		BPH970815MD	Llano	TX A	30.4755	98.3825	2ND 242A	6.H 6.V	76			33.7	31.	C
**COMMENT**Petition for Recon & Motion for stay D95-49, 970701.Amended 97																	
266.8	86.6		ADD		RM8558	Llano	TX A	30.4957	98.4044	2ND 242A	H V				37.0	31.	C
**COMMENT**Proposed as Class B to Mexico 960621-Accepted by Mexico 960911																	
250.9	70.7		ADD		RM9333	Llano	TX A	30.4227	98.4625	IF 293A	H V	0			48.7	10.	
**COMMENT**Mexican concurrence required																	
253.0	72.8		ADD		RM8558	Llano	TX A	30.4500	98.4036	IF 293A	H V	0			38.4	10.	
**COMMENT**Mexican Concurrence Required																	

THERE WERE 0 AM STATIONS WITHIN 6.43 KM (4 MI) OF THE FM REFERENCE COORDINATES

CHANNEL ALLOCATION STUDY  
 CH. 240A - BURNET, TEXAS

MULLANEY ENGINEERING, INC.  
 GAITHERSBURG, MARYLAND  
 FIGURE 1  
 SEPTEMBER 1999



**ALLOWABLE AREA MAP**  
CH. 240A - BURNET, TEXAS

**MULLANEY ENGINEERING, INC.**  
GAITHERSBURG, MARYLAND  
**FIGURE 2**  
SEPTEMBER 1999