

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 99-307
Table of Allotments,) RM-9739
FM Broadcast Stations.)
(Big Sky, Montana))

To: The Chief, Allocations Branch

COMMENTS OF R. STEVEN HICKS

R. Steven Hicks ("Hicks"), by his attorneys, hereby submits his comments in support of proposal E. in paragraph 2 of the Commission's multiple-docket *Notice of Proposed Rule Making*, DA 99-2187 (released October 15, 1999) ("*Notice*").

Hicks filed a Petition for Rule Making ("Petition") requesting the Commission to undertake a rulemaking proceeding to amend Section 73.202(b), the FM Table of Allotments, to allot Channel 242A to Big Sky, Montana as that community's second FM broadcast service. In his Petition, Hicks demonstrated that Big Sky, located in Gallatin County, has its own post office and zip code and has a population of 500 persons according to the 1998 *Rand McNally Commercial Atlas and Marketing Guide*. Hicks provided information from the Big Sky Chamber of Commerce indicating that Big Sky has approximately 1000 registered voters and 1200 full-time residents, showing that the community's population has doubled in the last ten years. As the *Notice* points out, Big Sky's status as a community for allotment purposes was established in MM Docket No.

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95-148. Channel 242A can be allotted to Big Sky in compliance with the Commission's city-grade coverage requirements and all applicable minimum distance separation requirements, provided there is a site restriction 7.1 kilometers west of the community.

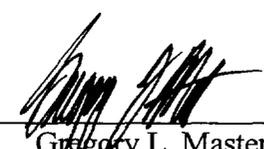
The Commission obviously has found merit in Hicks' proposal, for in the *Notice*, the Commission proposes to allot Channel 242A to Big Sky as requested in Hicks' Petition. Hicks supports the proposal advanced in the *Notice* and reaffirms his continuing interest in the allotment of Channel 242A to Big Sky, Montana. As directed by paragraph 2 of the Appendix to the *Notice*, Hicks restates his intention to submit an application for Channel 242A at Big Sky if that channel is allotted, and to promptly construct a station on that channel if his application is granted.

Accordingly, Hicks respectfully requests the Commission to adopt proposal E. set forth in paragraph 2 of the *Notice* and allot Channel 242A to the community of Big Sky, Montana.

Respectfully submitted,

R. STEVEN HICKS

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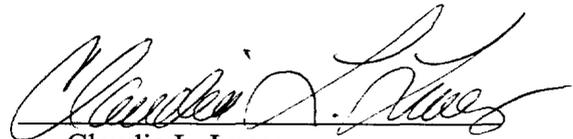
His Attorneys

December 3, 1999

CERTIFICATE OF SERVICE

I, Claudia L. Lucas, a secretary in the law firm of Wiley, Rein & Fielding, do hereby certify that true copies of the foregoing "Comments of R. Steven Hicks" were sent this 3rd day of December, 1999, by hand delivery, to the following:

Ms. Kathleen Scheuerle
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Claudia L. Lucas