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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. 99-334
Table of Allotments,	)	RM-9772
FM Broadcast Stations	)	
(Carney, Michigan)	)	
	)	
(Lindale, Texas)	)	MM Docket No. 99-335
	)	RM-9771
	)	
(Rocksprings, Texas)	)	MM Docket No. 99-336
	)	RM-9758
	)	
(Santa Anna, Texas)	)	MM Docket No. 99-337
	)	RM-9524
	)	
(Shiner, Texas)	)	MM Docket No. 99-338
	)	RM-9746

To: The Chief, Allocations Branch

COMMENTS OF CAFE BROADCASTING, INC.
ON NOTICE OF PROPOSED RULE MAKING

Cafe Broadcasting, Inc. ("Cafe"), by its attorney and pursuant to the Commission's Notice of Proposed Rule Making, DA 99-2582, released November 22, 1999 (the "NPRM"), hereby files its Comments in support of the NPRM's proposal to allot Channel 239A to Lindale, Texas.

1. Cafe filed its Petition for Rulemaking requesting the allotment of Channel 239A to Lindale, Texas on August 27, 1999. The Petition established that Lindale is an incorporated

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city in Smith County, Texas with a 1990 Census population of 2428 persons. Lindale, which has its own schools, its own government, police department and water system, has many restaurants, retail establishments and business and professional offices but has no local AM, FM or television service. The NPRM has combined Cafe's Petition with four other petitions seeking allotments in Texas and Michigan. Cáfe has no objection to this combination as long as it does not delay the allotment to Lindale.

2. The NPRM proposes to add Channel 239A as Lindale's first local broadcast service. The NPRM also requests Cafe, whose President Wayne Blackwelder signed the original Petition, to verify that the statements contained in the Petition are accurate. Attached hereto is a Declaration under penalty of perjury signed by Mr. Blackwelder containing the requested verification. It should be noted that in all other respects Cafe's Petition for Rulemaking complied with the Commission's rules.

3. Cafe hereby reiterates its expression of interest in the allotment of a first local aural service to Lindale, Texas with the site restriction proposed by the NPRM. If the Commission adopts the proposal to allot Channel 239A to Lindale, Cafe will proceed to file the appropriate application to implement the facility when the Commission opens a window and if authorized will proceed promptly with the construction and operation of the new station.

For the foregoing reasons, Cafe urges the Commission to adopt the proposal to allot Channel 239A to Lindale, Texas.

Respectfully submitted,

CAFE BROADCASTING, INC.

By: Kathryn R. Schmeltzer
Kathryn R. Schmeltzer
Its Attorney

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LEADER & ZARAGOZA L.L.P.
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(202) 659-3494

Dated: January 13, 1999

DECLARATION

I, Wayne Blackwelder, hereby declare under penalty of perjury as follows;

1. I am the President of Cafe Broadcasting, Inc. which filed on August 27, 1999 a Petition for Rulemaking requesting the allotment of FM Channel 239A to Lindale, Texas.

2. Pursuant to Section 1.52 of the Commission's rules, I signed the Petition for Rulemaking and provided my mailing address, telephone number, fax number and e-mail and internet addresses.

3. Pursuant to Section 1.52 of the Commission's rules and in response to footnote 1 of the Commission's Notice of Proposed Rule Making, DA 99-2582, I hereby declare that the statements contained in the Petition for Rulemaking are accurate to the best of my knowledge.

Executed this 11th day of January 2000.

Wayne Blackwelder

CERTIFICATE OF SERVICE

I, Margie Sutton Chew, a secretary with the law firm of Fisher Wayland Cooper Leader and Zaragoza L.L. P., do hereby certify that I have this 13th day of January 2000, mailed by first-class United States mail, postage prepaid, copies of the foregoing **"COMMENTS OF CAFE BROADCASTING, INC. ON NOTICE OF PROPOSED RULE MAKING"** to the following:

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Chief, Allocations Branch
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***VIA-HAND DELIVERY**

Margie Sutton Chew