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**JAN 27 2000**  
 FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY  
 COUNSEL

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 JAMES K. EDMUNDSON

January 27, 2000

**BY HAND DELIVERY**

Ms. Magalie R. Salas, Secretary  
 Federal Communications Commission  
 Portals II, TW-A325  
 445 Twelfth Street, S.W.  
 Washington, D.C. 20554

Re: 

In the Matter of Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations (Bay City, College Station, Columbus, Edna, Garwood, Giddings, Madison, Palacios and Sheridan, Texas)
MM Docket No. 99-331; RM-9728

Dear Ms. Salas:

Transmitted herewith on behalf of Giddings Community Broadcasting Company are an original and four (4) copies of its "Reply Comments" as directed to the Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours,

  
 Henry E. Crawford  
 Counsel for  
 Giddings Community  
 Broadcasting Company

cc: Allocations Branch

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BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
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JAN 27 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments  
FM Broadcast Stations  
(Bay City, College Station, Columbus,  
Edna, Garwood, Giddings, Madison,  
Palacios and Sheridan, Texas)

MM Docket No. 99-331

RM-9728

To: The Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**REPLY COMMENTS**

Giddings Community Broadcasting Company ("GCB"), by counsel, respectfully submits its *Reply Comments* pursuant to the Notice of Proposed Rule Making, DA 99-2564, released on November 19, 1999 ("NPRM"), by the Chief, Allocations Branch.<sup>1</sup> In support thereof, the following is stated:

1. This proceeding was initiated by a *Petition for Rulemaking* filed by Sunburst Media, LP ("Sunburst") seeking to move the facilities of KAGG(FM) from Madisonville, Texas to College Station, Texas. On November 19, 1999, the Commission released the NPRM proposing to adopt the Sunburst plan.

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<sup>1</sup> The due date for filing comments in this proceeding was January 25, 2000. However, the Commission was closed on account of inclement weather on January 25, 2000 and January 26, 2000. Thus, in accordance with 47 CFR §1.4(j), this document is properly filed on January 27, 2000, the first business day following the Commission's closing.

2. The deadline for filing comments in this proceeding was January 10, 2000. Only two parties filed comments before the deadline: GCB and Garwood Broadcasting Company of Texas ("Garwood").<sup>2</sup> In its Comments and Counterproposal, GCB counter-proposed the allotment of Channel 260A to the community of Giddings, Texas as its first commercial FM service. Garwood, in its Comments and Counterproposal, proposed several changes to the table of allotments involving the communities of: Garwood, Sheridan, Edna, Columbus, Bay City, and Palacios, Texas.

3. The proposals made by the two counter-proponents are not in conflict with each other. Both proposals can be implemented in accordance with the Commission's rules. Sunburst did not file comments and did not express a continued interest in the proposal contained in its rulemaking petition. Therefore, the Sunburst proposal has been abandoned and nothing stands in the way of an immediate grant of the GCB counterproposal.

4. GCB reiterates its pledge that if the Commission assigns Channel 240A to Giddings, Texas, GCB will apply for a construction permit and will construct a new facility upon award of that permit.

5. In conclusion, for the reasons stated above, GCB requests that Channel 260A be allotted to the community of Giddings, Texas and that, in the absence of any conflicting proposal, the Commission expeditiously grant the proposed first commercial service to the community of Giddings.

**WHEREFORE**, Giddings Community Broadcasting Company respectfully requests Channel 260A be allotted to the community of Giddings, Texas.

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<sup>2</sup> See ECFS Docket Query for MM Docket No. 99-331, attached as Exhibit 1.

January 27, 2000

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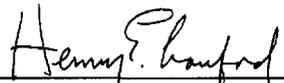
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Respectfully Submitted,

Giddings Community  
Broadcasting Company

By:   
Henry E. Crawford  
Its Attorney

Giddings Community Broadcasting Company  
Reply Comments  
January 27, 2000

**EXHIBIT 1**



CERTIFICATE OF SERVICE

I, Henry E. Crawford, do hereby certify that copies of the foregoing Reply Comments have been served by United States mail, postage prepaid this 27th day of January, 2000 upon the following:

\*Kathleen Scheuerle  
Allocations Branch, Mass Media Bureau  
Federal Communications Commission  
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Henry E. Crawford