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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No. 99-361
Table of Allotments,	)	RM-9777
FM Broadcast Stations.	)	
(Plainville and Larned, Kansas)	)	

TO: Chief, Allocations Branch
Mass Media Bureau

ERRATUM TO COMMENTS AND COUNTERPROPROSAL OF GOODSTAR BROADCASTING OF KANSAS LICENSE, L.L.C.

Goodstar Broadcasting of Kansas License, L.L.C. ("Goodstar"), by its attorneys, hereby submits this erratum to the Comments and Counterproposal that it filed in the above-captioned proceeding yesterday, February 7. After the comments were filed, counsel discovered that the caption contained the incorrect Docket Number (but the correct RM number). Accordingly, attached hereto is a copy of Goodstar's Comments and Counterproposal with a corrected caption.

Respectfully submitted,

GOODSTAR BROADCASTING OF
KANSAS LICENSE, L.L.C.

By: Howard M. Liberman

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February 8, 2000

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Before the
Federal Communications Commission
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Amendment of Section 73.202(b),	)	MM Docket No. 99-361
Table of Allotments,	)	RM-9777
FM Broadcast Stations	)	
(Plainville and Larned, Kansas)	)	

TO: Chief, Allocations Branch
Mass Media Bureau

COMMENTS AND COUNTERPROPOSAL OF GOODSTAR BROADCASTING OF KANSAS LICENSE, L.L.C.

Goodstar Broadcasting of Kansas License, L.L.C. ("Goodstar"), by its attorneys, hereby submits its comments and a counterproposal in response to the proposals contained in the Notice of Proposed Rule Making, DA 99-285, released December 17, 1999. Goodstar is the licensee of KGTR(FM), Channel 255A, Larned, Kansas.

In response to the petition of Radio Inc., the Commission proposes to amend the FM Table of Allotments by substituting Channel 245C1 for Channel 245C2 at Plainville, Kansas and modifying the license of Station KFIX(FM) to specify operation on the higher class channel. Further, to accommodate that requested change, the Commission proposes to substitute Channel 255A for Channel 244A at Larned, Kansas, and to modify Goodstar's license for Station KGTR(FM) to specify operation on the new channel.

Goodstar does not, in general, oppose the proposed channel changes. Goodstar understands that Radio Inc. is willing to reimburse Goodstar for its reasonable costs associated

with the channel change for Station KGTR(FM) required to accommodate Radio Inc.'s proposal.[1]

Goodstar, however, counterproposes that the Commission substitute Channel 255C3 for Channel 244A at Larned and modify KGTR(FM)'s license accordingly.[2] Attached hereto is an engineering statement which includes a channel allocation study demonstrating that the substitution of Channel 255C3 for Channel 244A at Larned complies with the minimum distance separation requirements of Section 73.207(b) of the Commission's rules. Additionally, the proposed upgrade will allow KGTR(FM) to increase its service area population from 7,671 to 30,017, an increase of almost 400 percent. If the Commission grants the foregoing request, Goodstar will file an application for the upgraded and construct the facility upon grant of that application.

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[1] See Plainville and Larned, Kansas, DA 99-2825 (MMB December 17, 1999) at para 4. See Circleville, Ohio, 8 FCC 2d 159 (1967).

[2] Goodstar's counterproposal does not alter Radio Inc.'s obligation to pay for the reasonable costs associated with the channel change as discussed in Circleville, Ohio. See Warner, Oklahoma, 11 FCC Rcd 4735 (1996) (*citing* Circleville, Ohio, 8 FCC 2d 159) ("*Whenever* an existing licensee or permittee is ordered to change frequency to accommodate a new channel allotment, Commission policy requires the benefiting party to reimburse the affected station licensee or permittee for the costs incurred.") (emphasis added). Goodstar recognizes, however, that Radio Inc. is not responsible for any costs associated with Goodstar's proposal to upgrade the channel allotment from Class A to Class C3.

Wherefore, Goodstar supports the proposal to substitute Channel 245C1 for Channel 245C2 at Plainville and to modify the KFIX(FM) license, and respectfully requests that the Commission substitute Channel 255C2 for Channel 244A at Larned and modify KGTR(FM)'s license accordingly.

Respectfully submitted,

GOODSTAR BROADCASTING OF
KANSAS LICENSE, L.L.C.

By: Howard M. Liberman

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February 7, 2000

ENGINEERING EXHIBIT
RESPONSE TO ORDER TO SHOW CAUSE
IN MASS MEDIA DOCKET NUMBER 99-361
GOODSTAR BROADCASTING OF KANSAS LICENSE, L.L.C.
STATION KGTR(FM)
LARNED, KANSAS

ENGINEERING STATEMENT

INTRODUCTION

The Engineering Exhibit, of which this statement is part, was prepared on behalf of Goodstar Broadcasting of Kansas License, L.L.C. (Goodstar), licensee of commercial FM station KGTR, Larned, Kansas, in support of its response to the *Notice of Proposed Rule Making and Order to Show Cause* (NPRM & OSC) in Mass Media Docket Number 99-361, *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Plainville and Larned, Kansas).* In the petition for rule making, Radio, Inc. (Radio), licensee of station KFIX(FM), Plainville, Kansas, requests the substitution of channel 245C1 for channel 245C2 at Plainville, and the modification of the KFIX license to specify operation on the higher class channel. To accommodate the requested class upgrade at Plainville, Radio also requests substitution of channel 255A for channel 244A at Larned, Kansas, and modification of the KGTR license to specify operation on channel 255A.

FACILITIES

KFIX (FCC Facility ID Number 77331) is licensed (FCC File Number BLH-980508KC) to operate on channel 245C2 (96.9 megahertz (MHz)) with 10.5 kilowatts (kW) effective radiated power (ERP), circularly polarized, and 267 meters antenna radiation center height above average terrain (HAAT), at a transmitter site uniquely described by geographic coordinates 39° 01' 15" North Latitude, 99° 28' 12" West Longitude, referenced to 1927 North American Datum (NAD27).

KGTR (FCC Facility Number 7990) is licensed (FCC File Number BLH-861208KD) to operate on channel 244A (96.7 MHz) with 3.0 kW ERP, circularly polarized, and 81 meters antenna radiation center HAAT, at a transmitter site uniquely described by geographic coordinates 38° 09' 54" North Latitude, 99° 06' 05" West Longitude, referenced to NAD27. The proposed reference coordinates for the channel 255A allotment to be substituted for the current channel 244A allotment at Larned are the same as the coordinates for the licensed KGTR transmitter site so no relocation of the KGTR transmitter site will be necessary.

ALLOCATION CONSIDERATIONS

As indicated in paragraph 3 of the *Notice of Proposed Rule Making and Order to Show Cause,* FCC Document DA 99-2825, relating to Docket 99-361, the FCC engineering staff has determined that channel 255A can be substituted for channel 244A at Larned, Kansas, at the licensed KGTR transmitter site. Radio states in Footnote 1 on Page 2 of the NPRM & OSC that the higher class channel 255C3 could also be substituted for channel 244A at Larned. The reference coordinates for channel 255C3 also would be the same as the currently licensed transmitter site.

A review of the allotments and assignments on channel 255, on the three immediately upper adjacent channels (channels 256 through 258), the three immediately lower adjacent channels (channels 252 through 254), and on the channels 53 and 54 channels removed from channel 255 (channels 201 and 202), reveals that the substitution of channel 255C3 for channel 244A at Larned, Kansas, meets all the minimum distance separation requirements of Section 73.207(b) of the FCC Rules with respect to all known existing and proposed FM assignments and allotments. Figure 1 of this Engineering Exhibit is a tabular report of this allocation study.

CALCULATED COVERAGE CONTOURS

Figure 2, Sheet 2,and Figure 2, Sheet 3, of this Engineering Exhibit are tabulations of average elevations, antenna radiation center HAATs, and distances to the predicted 3.16 millivolt per meter (mV/m) and 1 mV/m coverage contour along the eight cardinal radials for the licensed KGTR channel 244A facility and the assumed KGTR channel 255C3 facility respectively The three-to-sixteen kilometer average terrain elevations were derived from the United States Geological Survey three second terrain elevation database.

The effective antenna radiation center heights for all radials were used together with the F(50,50) metric curves of Figure 1 of Section 73.333 of the FCC Rules to predict the distances to the licensed KGTR channel 244A facility and the assumed KGTR channel 255C3 calculated 3.16 mV/m and 1.0 mV/m coverage contours. The contours drawn from the data of Figure 2, Sheets 2 and 3, are depicted on the map of Figure 2, Sheet 1, of this exhibit, a portion of the USGS 1:500,000-scale Kansas state map.

POPULATION AND AREA DATA

Based on the 1990 US Census of Population, there are 7,671 persons enclosed within the licensed KGTR channel 244A 1.0 mV/m calculated coverage contour. The population was determined by means of a computer algorithm that enumerates the populations of those census divisions that have centroids within the predicted licensed KGTR 1.0 mV/m contour. Similarly, using a computer algorithm that estimates the area within an irregular polygon, the area within the licensed KGTR 1.0 mV/m contour is 1,495 square kilometers.

Similarly, the assumed KGTR channel 255C3 calculated 1.0 mV/m contour encloses 30,017 persons in 3,952 square kilometers. This represents increases of 391 percent in population and 264 percent in land area within the calculated 1.0 mV/m contour for KGTR operating as a Class C3 facility over the population and land area within the 1 mV/m contour for KGTR operating as licensed as a Class A facility.

CERTIFICATION

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 7, 2000.

Robert G. Mallery

Robert G. Mallery

ENGINEERING EXHIBIT
RESPONSE TO ORDER TO SHOW CAUSE
IN MASS MEDIA DOCKET NUMBER 99-361
GOODSTAR BROADCASTING OF KANSAS LICENSE, L.L.C.
STATION KGTR(FM)
LARNED, KANSAS

Allocation Study

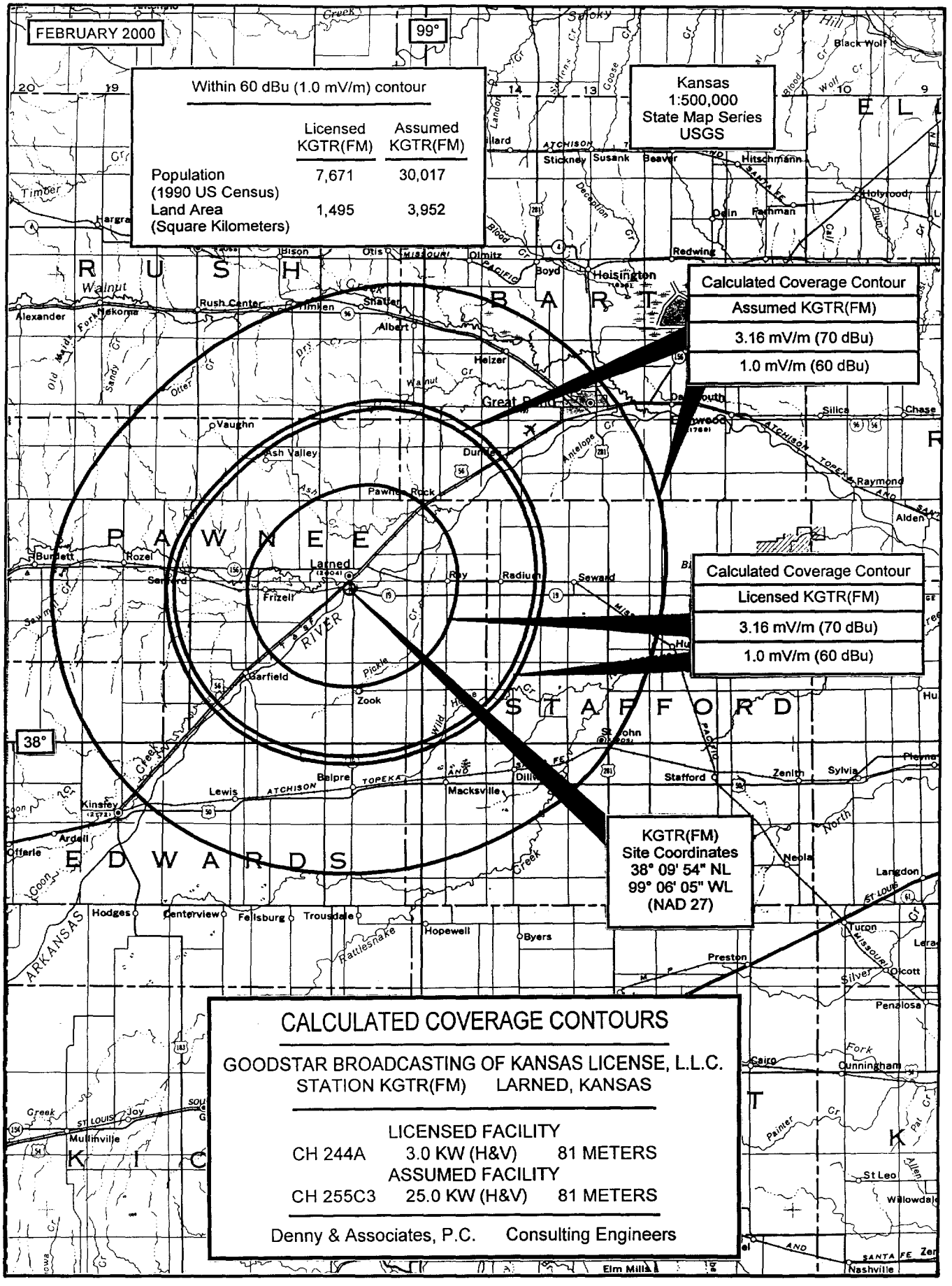
Ch. 255C3, Larned, KS, Reference Coordinates: 32° 35' 19" North Latitude
96° 58' 05" West Longitude

Channel	Station/Location/Facilities	Geographic Coordinates (N. Lat./W. Long.[1])	Class Relation-ship	Distance: Required Minimum (km)	Distance: Actual (km)	Distance: Clearance (km)
201	None sufficiently close for concern	—	—	—	—	—
202	None sufficiently close for concern	—	—	—	—	—
252	None sufficiently close for concern	—	—	—	—	—
253	None sufficiently close for concern	—	—	—	—	—
254	KSPG(FM), Clearwater, KS Ch. 254C2, 50 kW (H&V), 150 m	37° 24' 11" 97° 35' 22"	C2-C3	117	157.8	40.8
255	None sufficiently close for concern	—	—	—	—	—
256	KJIL, Copeland, KS Ch. 256C1, 100 kW (H&V), 285 m	37° 28' 35" 100° 35' 59"	C1-C3	144	152.5	8.5
	KTLI(FM), El Dorado, KS Ch. 256C1, 100 kW (H&V), 188 m	37° 28' 35" 100° 35' 59"	C1-C3	144	187.1	43.1
257	None sufficiently close for concern					
258	KHAZ(FM), Hays, KS Ch. 258C1, 11.0 kW (MAX-DA, H&V), 150 m	38° 56' 29" 99° 21' 22"	C1-C3	76	89.0	13.0

[1] Referenced to 1927 North American Datum.

Figure 1

Figure 2
Sheet 1 of 3



ENGINEERING EXHIBIT
RESPONSE TO ORDER TO SHOW CAUSE
IN MASS MEDIA DOCKET NUMBER 99-361
GOODSTAR BROADCASTING OF KANSAS LICENSE, L.L.C.
LICENSED STATION KGTR(FM)
LARNED, KANSAS
CH 244A 3.0 KW (H&V) 81 METERS

Tabulation of Average Elevations
And Distances to Calculated Coverage Contours

Azimuth (Deg. T)	3-16 km Average Terrain Elevation (m. AMSL)	Antenna Radiation Center Height Above Average Terrain (meters)	ERP (dBk)	Distances to 3.16 mV/m (70 dBμ F(50,50)) Contour (km)	Distances to 1.0 mV/m (60 dBμ F(50,50) Contour (km)
0	718	82	4.8	12.2	22.0
45	703	97	4.8	13.3	23.9
90	710	90	4.8	12.8	23.0
135	719	81	4.8	12.1	21.8
180	728	72	4.8	11.5	20.7
225	723	77	4.8	11.9	21.3
270	722	78	4.8	12.0	21.5
315	733	67	4.8	11.2	20.0
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8-Radial Average	719.4 (rounded to 719)	80.6 (rounded to 81)			

ENGINEERING EXHIBIT
RESPONSE TO ORDER TO SHOW CAUSE
IN MASS MEDIA DOCKET NUMBER 99-361
GOODSTAR BROADCASTING OF KANSAS LICENSE, L.L.C.
ASSUMED STATION KGTR(FM)
LARNED, KANSAS
CH 255C3 25.0 KW (H&V) 81 METERS

Tabulation of Average Elevations
And Distances to Calculated Coverage Contours

Azimuth (Deg. T)	3-16 km Average Terrain Elevation (m. AMSL)	Antenna Radiation Center Height Above Average Terrain (meters)	ERP (dBk)	Distances to 3.16 mV/m (70 dBμ F(50,50)) Contour (km)	Distances to 1.0 mV/m (60 dBμ F(50,50) Contour (km)
0	718	82	14.0	21.0	35.7
45	703	97	14.0	22.9	38.6
90	710	90	14.0	22.0	37.3
135	719	81	14.0	20.9	35.5
180	728	72	14.0	19.8	33.8
225	723	77	14.0	20.4	34.8
270	722	78	14.0	20.6	35.0
315	733	67	14.0	19.1	32.6
	---	---			
8-Radial Average	719.4 (rounded to 719)	80.6 (rounded to 81)			

CERTIFICATE OF SERVICE

I, Gerie A. Miller, do hereby certify that on the 8th day of February, 2000, a copy of the foregoing Erratum to Comments and Counterproposal of Goodstar Broadcasting of Kansas License, L.L.C. was served on the following party by first-class United States mail, postage prepaid.

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Gerie A. Miller

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* By Hand