

DOCKET FILE COPY ORIGINAL

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

In the Matter of)
)
) MM Docket No. 99-199
Amendment of Section 73.202(b),) RM - 9564
Table of Allotments,)
FM Broadcast Stations.)
(Cordele, Hawkinsville, Montezuma,)
Swainsboro and East Dublin, Georgia)

To: Chief, Allocations Branch
Policy & Rules Division (Mass Media Bureau)

RECEIVED
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**MOTION TO STRIKE
SUPPLEMENTAL COMMENTS**

Comes now **Lacom Communications, Inc.** ("LCI"), by Counsel, and in response to the "Supplemental Comments" filed on or about March 23, 2000 by Tri-County Broadcasting Company, Metro Com Corp. and Broadcast Equities Corp. (hereinafter collectively referred to as "Proponents") and hereby submits this motion to strike the impermissible and late-filed Supplemental Comments.

In support hereof, LCI submits the following:

1. LCI is the licensee of Radio Station WELT-AM at Swainsboro, Georgia. The Commission's records will reflect that LCI is a participant in this MM Docket No. 99-199 proceeding, wherein LCI requested the allotment of Channel 251C3 to the community of East Dublin, Georgia for the purpose of relocating Radio Station WELT-FM from Swainsboro, Georgia to East Dublin, Georgia.

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2. Official Notice should be taken of the fact that the comment period in this MM Docket No. 99-199 proceeding ended as of August 3, 1999. *See, Notice of Proposed Rule Making (DA 99-1002, released May 28, 1999).*

3. Now --- eight months after the comment period in this proceeding closed -- Proponents submit supplemental comments that are not only technically flawed but also egregiously violative of the procedural schedule adopted in this proceeding. Proponents seek to disturb the record established in this proceeding by essentially submitting an extremely tardy counterproposal in that whereby Proponents desire the allotment of Channel 276C3 in lieu of Channel 251C3 at East Dublin, Georgia.

4. Attached hereto, and incorporated by reference herein, please find LCI's "Reply Comments in Opposition" that are concomitantly being filed in MM Docket No. 00-18. Proponents are related to Multi-Service Corp.; Multi-Service Corp. submitted its Comments and Counterproposal in MM Docket 00-18 that relate, in large part, to WELT-FM and East Dublin, Georgia.

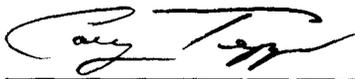
5. The Commission should strike Proponents' Supplemental Comments solely on the fact that they were filed eight months after the close of the comment period firmly established by the NPRM. Due process requirements and the Commission's long standing policies regarding Administrative Finality dictate such a result. nevertheless, were the Commission inclined to consider the Supplemental Comments, it will soon be determined that they are seriously technically flawed. *See, LCI's attached*

"Reply Comments in Opposition to Comments and Counterproposal"
concurrently filed in MM Docket 00-18.

WHEREFORE, the foregoing premises considered, this "Motion to Strike" should be GRANTED and Proponents' impermissible and tardy Supplemental Comments should be REJECTED.

Respectfully submitted,

LACOM COMMUNICATIONS, INC.

By: 
Cary S. Tepper

Its Attorney

Booth, Freret, Imlay & Tepper, P.C.

5101 Wisconsin Avenue, N.W.
Suite 307
Washington, D.C. 20554

(202) 686-9600

April 7, 2000

Exhibit No. 1

**(Copy of "Reply Comments in Opposition to Comments
and Counterproposal" Concurrently Filed by Lacom
Communications, Inc. in MM Docket No. 00-18)**

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

In the Matter of)	
)	MM Docket No. 00-18
Amendment of Section 73.202(b),)	RM - 9790
Table of Allotments,)	
FM Broadcast Stations.)	
(Barnwell, South Carolina and)	
Pembroke, Douglas and)	
Willacoochee, Georgia))	

To: Chief, Allocations Branch
Policy & Rules Division (Mass Media Bureau)

**REPLY COMMENTS IN OPPOSITION TO
COMMENTS AND COUNTERPROPOSAL**

Comes now **Lacom Communications, Inc.** ("LCI"), by Counsel, and pursuant to the procedural schedule set forth in the *Notice of Proposed Rule Making (DA 00-172, released February 1, 2000)* ("NPRM"), and hereby submits these Reply Comments in opposition to "Comments and Counterproposal" filed on or about March 23, 2000 by Multi-Service Corp. ("MSC"). In support hereof, LCI submits the following:

1. LCI is the licensee of Radio Station WELT-AM at Swainsboro, Georgia. The Commission's records will reflect that LCI is a participant in MM Docket No. 99-199, wherein LCI requested the allotment of Channel 251C3 to the community of East Dublin, Georgia for the purpose of relocating Radio Station WELT-FM from Swainsboro, Georgia to East Dublin, Georgia. Official Notice should be taken of the fact that the comment period in MM Docket No.

99-199 ended as of August 3, 1999. *See, Notice of Proposed Rule Making (DA 99-1002, released May 28, 1999).*

2. Now --- eight months after the comment period closed in MM Docket No. 99-199 -- MSC submits comments in this proceeding that are not only technically flawed but also egregiously violative of the procedural schedule adopted in MM Docket No. 99-199. MSC seeks to disturb the record established in MM Docket 99-199 by essentially submitting an extremely tardy counterproposal in that proceeding whereby MSC desires the allotment of Channel 276C3 in lieu of Channel 251C3 at East Dublin, Georgia. As will be demonstrated herein, MSC's counterproposal must be denied for a variety of reasons.

3. As LCI demonstrates in its attached Technical Statement, in order to accommodate the use of Channel 276C3 at East Dublin in lieu of Channel 251C3, MSC proposes to relocate its radio station -- WPMX-FM -- from Channel 275C3 to Channel 257C3. MSC proposes a new set of geographical coordinates for WPMX-FM. Nevertheless, the use of Channel 257C3 for WPMX-FM at MSC's specified site does not meet the Commission's minimum distance separation requirements to the licensed facilities of Radio Station WDMG-FM at Douglas, Georgia, A shortspace of 12.91 kilometers exists.

4. Of equal importance is the fact that MSC has not pledged to reimburse WDMG-FM for the necessary and prudent expenses associated in implementing a change in community and transmitter site to accommodate

MSC's proposal. While WDMG-FM has consented to the changes requested in this proceeding by Bullie Broadcasting Corporation, they have not consented to those changes proposed by MSC. Since the Bullie Broadcasting Corporation proposal is mutually exclusive with that proffered by MSC, the Commission cannot assume WDMG-FM has consented to MSC's proposal. Furthermore, LCI will not under any circumstances pledge any reimbursement to WDMG-FM. Therefore, since MSC lacks the consent of WDMG-FM, Channel 257C3 is not available for allotment to Statesboro, Georgia as MSC would desire.

5. Irrespective of the tardiness and the consensual deficiencies of MSC's proposal, other FCC policy and technical reasons exist for the denial of MSC's proposal. As the attached Technical Statement demonstrates, should the Commission substitute Channel 276C3 for Channel 251C3 at East Dublin, the usable area in which to relocate the WELT-FM transmitting site is extremely small and within the urbanized area of the city of Dublin.¹ The usable area is boxed-in to a very small urban area, as depicted in Exhibit No. 2 to the attached Technical Statement. Although the Commission rarely requires parties to demonstrate the availability of a suitable transmitting site at the rule making stage, the Commission has previously denied an allotment request where there was no indication that any land was actually available for use as a broadcast

¹ In contrast, the usable area for Channel 251C3 is substantially larger and located in a much more rural area. LCI would have no trouble locating an available site for use for Channel 251C3 operations, but is genuinely concerned about the availability and suitability of any sites within the much smaller, urban parameters restricted by Channel 276C3.

tower site. *See, Anniston, Alabama, 68 RR 2d 1641 (1991)*. In this instance, the Commission should not force LCI to accept the channel substitution until such time as a suitable and available transmitting site is located. Any other procedure would be tantamount to an unjust condemnation of LCI's property, which would ultimately result in the demise of Radio Station WELT-FM.

6. From a public interest and FM allotment priorities standpoint, MSC's proposal has other negative consequences. As presently proposed by LCI in MM Docket 99-199, operation of WELT-FM on Channel 251C3 at East Dublin would provide service to 68,509 persons, which would be a gain of 43,007 persons over the current Class A operations of WELT-FM at Swainsboro. However, if LCI is forced to operate WELT-FM on Channel 276C3 instead of 251C3, more than 94% of the current WELT-FM listeners would lose such broadcast service. *See, attached Technical Statement at para 5*. Were LCI allotted Channel 251C3 for WELT-FM, about 75% of the current WELT-FM listeners would continue to receive the station's service. One of the main reasons LCI participated in MM Docket 99-199 was to enhance the coverage area of WELT-FM while maintaining service to most of its current listeners; LCI has no desire to abandon its current audience. Nor should Commission policy encourage or permit so many people to lose their radio service from WELT-FM.

Conclusion

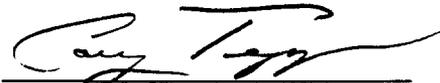
7. The Commission must deny MSC's proposal to substitute Channel 257C3 for Channel 275C3 at Statesboro, Georgia for failure to comply with the Commission's minimum distance separation requirements, and for MSC's failure

to promise to reimburse WDMG-FM for its expenses associated with the proposed change in community of license and relocation of its transmitter site. Accordingly, Channel 276C3 cannot be substituted for the proposed Channel 251C3 at East Dublin, Georgia. Furthermore, MSC's untimely proposal in light of the procedural deadlines previously established in MM Docket 99-199 places an improper and impermissible site restriction upon LCI for the relocation of the WELT-FM transmitting site, which results in a loss of reception of WELT-FM by nearly all of its current listeners. The public interest will not be served by quashing the WELT-FM operations as MSC seems to desire.

WHEREFORE, the foregoing premises considered, the MSC's proposal must be DENIED.

Respectfully submitted,

LACOM COMMUNICATIONS, INC.

By: 
Cary S. Tepper

Its Attorney

Booth, Freret, Imlay & Tepper, P.C.

5101 Wisconsin Avenue, N.W.

Suite 307

Washington, D.C. 20554

(202) 686-9600

April 7, 2000

Exhibit No. 1

(Technical Statement of Graham Brock, Inc.)

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

REPLY COMMENTS
LACOM COMMUNICATIONS, INC.
MM DOCKET #00-18
EAST DUBLIN, GEORGIA
April 2000

TECHNICAL EXHIBIT

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REPLY COMMENTS
LACOM COMMUNICATIONS, INC.
MM DOCKET #00-18
EAST DUBLIN, GEORGIA
April 2000

TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of Lacom Communications, Inc. ("LCI"), licensee of WELT, Channel 251A, Swainsboro, Georgia. LCI also filed Comments and a Counterproposal in MM Docket #99-199, seeking to upgrade Channel 251A at Swainsboro, Georgia, to Class C3 facilities and requesting the re-allotment of the channel to East Dublin, Georgia, as that community's first local service.

2. In MM Docket #00-18, Multi-Service Corporation ("MSC") filed a counterproposal suggesting, among other things, the allotment of Channel 276C3 to East Dublin in lieu of Channel 251C3 as requested by LCI. In order to accommodate the use of Channel 276C3, MSC proposed to relocate its licensed facility, WPMX, Channel 275C3, Statesboro, Georgia, to Channel 257C3. MSC proposed a new set of geographic coordinates for the allotment of Channel 276C3 at East Dublin, Georgia.

DISCUSSION

3. As shown on Exhibit #1, Channel 257C3 at the WPMX site does not meet the Commission's minimum distance separation requirements to the licensed facilities of WDMG-FM, Channel 258C1, Douglas, Georgia. A shortspace of 12.91 kilometers exists. MSC, however, indicates that the licensee of WDMG-FM has consented to the change of

community of license requested in MM Docket #00-18.¹ WDMG-FM is proposed to be relocated to Willacoochee, Georgia. However, in reviewing the actual Petition for Rule Making submitted in MM Docket #00-18, it is clear that the licensee of WDMG-FM has consented to Bullie Broadcasting Corporation's request that it change its community of license from Douglas to Willacoochee, provided that Bullie Broadcasting Corporation reimburses them for expenses, including a new tower to support the relocated WDMG-FM antenna. MSC's proposal for Channel 257C3 at Statesboro, Georgia, is mutually exclusive with the Bullie Broadcasting Corporation request at Pembroke, which is contingent upon the change of WDMG-FM from Douglas to Willacoochee. However, MSC has not pledged to reimburse the licensee of WDMG-FM to implement the change in community and transmitter site.² Because of no consent given by the licensee of WDMG-FM to MSC, Channel 257C3 is not available for allotment to Statesboro at the site indicated in the MSC request.

4. Barring the deficiency in the MSC request as indicated above, even if WPMX-FM were to no longer be a factor for the potential use of Channel 276C3 at East Dublin, Georgia, the area to locate Channel 276C3 is limited to a very small area in the southwestern portion of the city of Dublin, Georgia, and a small portion of Laurens County, Georgia. Attached as Exhibit #2 is a map denoting the usable area for Channel 276C3 at East Dublin. The map assumes that WPMX-FM is not operating on Channel 275C3 at Statesboro. The usable area limitations show that the usable area is, in fact, located primarily within the urbanized area of the city of Dublin (with just a small portion of the area in the adjoining portion of Laurens County, Georgia). Whereas the proposed usable area for Channel 251C3 at East Dublin, as requested by LCI, is located in a much more rural area of Laurens County and a rural area of the adjoining Johnson

1) See Technical Comments of MSC, Paragraph 1. Also see Footnote 1 in MM Docket #00-18.

2) LCI likewise does not have consent, nor is it willing to pledge any reimbursement to WDMG-FM.

County, Georgia, and is substantially larger than the usable area for the Channel 276C3. In fact, the usable area for Channel 276C3, as denoted on the map, is based on removing 0.5 kilometer buffer from the required minimum distance separation requirements to the three stations creating the usable area for the channel. The three limiting stations are WVRK, Channel 275C, Columbus, Georgia; WFXA-FM, Channel 276A, Augusta, Georgia; and WWSN, Channel 277C, Waycross, Georgia. Without the removal of the 0.5 kilometer buffer, the usable area would be reduced several city blocks within the city of Dublin.

5. Further, when a maximum Class C3 facility operating from the requested LCI site is compared to a potential Class C3 facility at the MSC site, there is an additional large area of loss as compared to the existing WELT 60 dBu licensed contour from Swainsboro. As shown on Exhibit #3, a Class C3 facility from the proposed LCI site near the Johnson County/Laurens County border encompasses the community of Swainsboro, the present city of license of WELT. However, if Channel 276C3 is used as an alternate channel with a site restriction for the west Swainsboro, Georgia, would be outside the 60 dBu contour of WELT, were it on Channel 276C3. As presently proposed by LCI, on Channel 251C3, 68,509 persons would receive services from WELT. This represents a new gain of 43,007 persons over the present Class A.³ However, if WELT were required to operate on Channel 276C3, only 1,232 persons previously receiving service from WELT would still receive service from WELT operating on Channel 276C3 or a loss of 94.1% of the present WELT service area.⁴

-
- 3) WELT's Class A facility presently serves 20,854 persons. Of these, 15,066 persons would continue to receive service. A loss of service to 5,218 persons or 25.0% of the present population would result.
- 4) The service population of WELT on Channel 276C3 would theoretically be 63,889 persons, less 1,232 persons presently receiving WELT. The net gain is 62,657 persons.

SUMMARY

6. The MSC proposed substitution of Channel 257C3 for Channel 275C3 at Statesboro, Georgia, does not meet the Commission's minimum distance separation requirements, nor did MSC consent to reimburse the licensee of WDMG-FM to make the requisite change in community of license and site necessary in order to accommodate the proposed substitution. As such, Channel 276C3 cannot be substituted for the proposed Channel 251C3 request at East Dublin, Georgia. Therefore, MSC's request should be dismissed. Further, even if the Commission were to consider the proposed substitution at Statesboro possible, the minute amount of usable area for Channel 276C3 at Dublin, because of its excessive site restriction from the present WELT Class A site and the proposed Channel 251C3 usable area indicated in LCI's filing in July 1999 and its corresponding appreciable loss of service by comparison to the present Class A facility at Swainsboro, would be very difficult and not in the public's interest.

7. The foregoing technical statement was prepared on behalf of Lacom Communications, Inc., by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relating to FM facilities was extracted from the NTIA database as updated on March 31, 2000. Population data was extracted from the PL 94-171 files. We assume no liability for errors or omissions in those databases which may be adverse to the requests contained herein. Should there be any questions concerning the information contained herein, we welcome the opportunity to discuss the matter by phone at 912-638-8028 or by email at jeff@grahambrock.com.

REPLY COMMENTS
LACOM COMMUNICATIONS, INC.
MM DOCKET #00-18
EAST DUBLIN, GEORGIA
April 2000

EXHIBIT #1

SPACING STUDY FOR WPMX RADIO STATION STATESBORO, GEORGIA
 USING PRESENT SITE AS REFERENCE

REFERENCE		DISPLAY DATES
32 26 43 N	CLASS C3	DATA 03-31-00
81 58 07 W	Current rules spacings	SEARCH 04-04-00
----- CHANNEL 257 - 99.3 MHz -----		

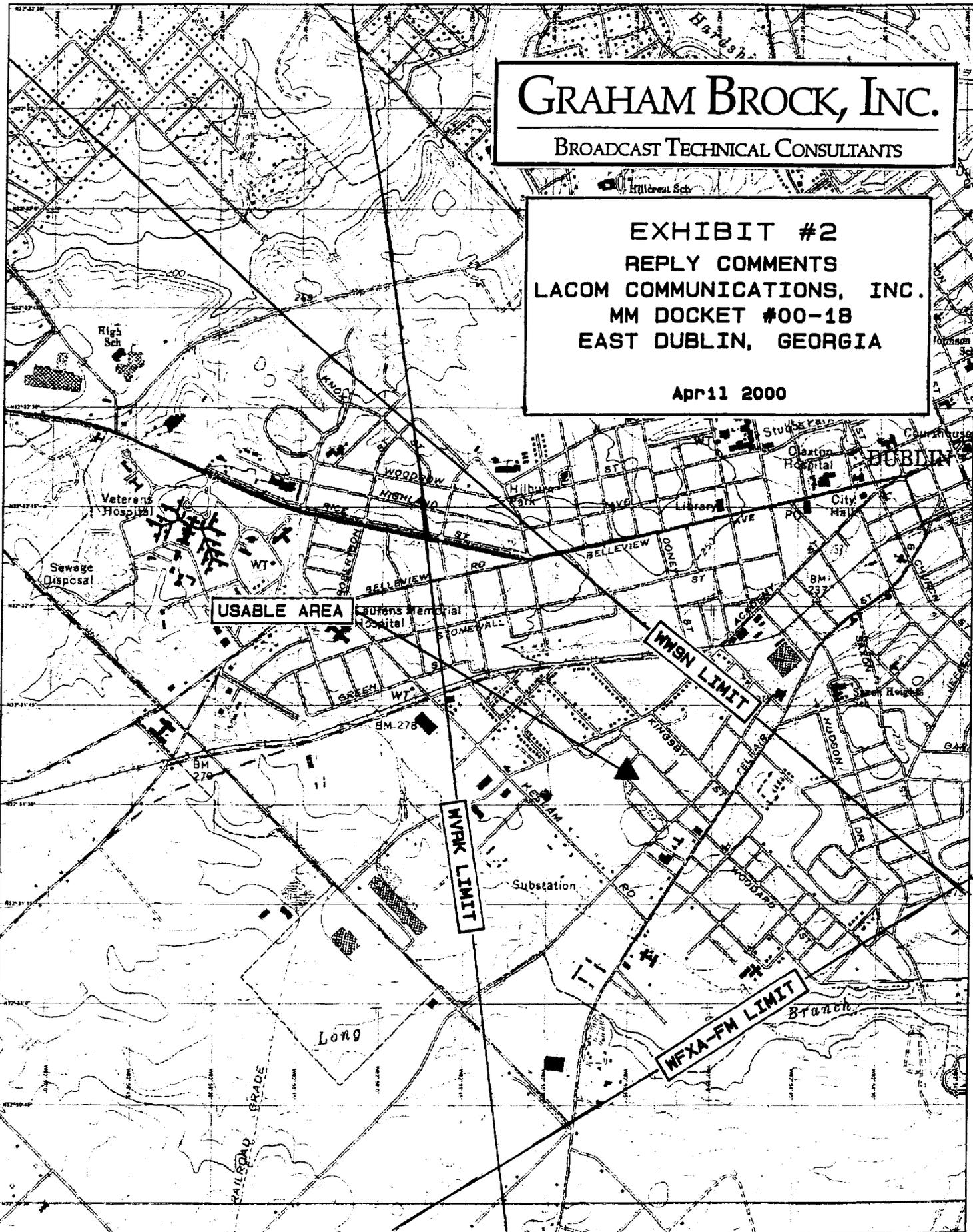
CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
RADD	257C3	Statesboro	GA	0.0	0.0	153.0	-153.00
ADD	32 26 43	81 58 07	0.000 kW	0M	20.3	95.1	
RADD	257C1	Pembroke	GA	151.2	32.70	211.0	-178.30
ADD	32 11 13	81 48 04	0.000 kW	0M	20.3	131.1	
RDEL	258C1	Douglas	GA	217.6	131.09	144.0	-12.91
DEL	31 30 26	82 48 46	0.000 kW	0M	81.5	89.5	
WDMGFM	258C1	Douglas	GA	217.6	131.09	144.0	-12.91
LIC CY	31 30 26	82 48 46	51.000 kW	61M	81.5	89.5	
		Jumbo Thing, Inc.		BLH-7820			
WDMGFM	258C1	Douglas	GA	217.8	131.55	144.0	-12.45
CP CN	31 30 23	82 49 10	100.000 kW	48M	81.8	89.5	
		Jumbo Thing, Inc.		BPH-19940902ID			
WBAWFM	256C3	Barnwell	SC	33.2	103.44	99.0	4.44
LIC CN	33 13 25	81 21 35	25.000 kW	100M	64.3	61.5	
		Bullie Broadcasting Corporati		BLH-19911211KF			
WAYS	256C1	Macon	GA	283.4	153.13	144.0	9.13
LIC CY	32 45 10	83 33 32	100.000 kW	202M	95.2	89.5	
		U.s. Broadcasting Limited		BLH-19860106KC			
WAYS.A	256C1	Macon	GA	289.3	155.20	144.0	11.20
APP CX	32 53 48	83 32 05	100.000 kW	168M	96.5	89.5	
		U.s. Broadcasting Limited		BPH-19991223ACG			
WKXCFM	258C2	Aiken	SC	1.6	133.16	117.0	16.16
LIC CN	33 38 44	81 55 45	24.000 kW	217M	82.8	72.7	
		Ghb Of Augusta, Inc.		BLH-19981229KB			
WYKZ	254C1	Beaufort	SC	97.2	97.75	76.0	21.75
LIC CY	32 19 50	80 56 19	100.000 kW	216M	60.8	47.2	
		Capstar Tx Limited Partnership		BLH-19850423KR			
WYKZ	254C1	Beaufort	SC	97.4	97.83	76.0	21.83
LICDC	32 19 43	80 56 17	100.000 kW	218M	60.8	47.2	
		Capstar Tx Limited Partnership		BLH-19990201KB			
RADD	256C3	Barnwell	SC	30.8	124.76	99.0	25.76
ADD	33 24 29	81 16 43	0.000 kW	0M	77.5	61.5	

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

EXHIBIT #2
REPLY COMMENTS
LACOM COMMUNICATIONS, INC.
MM DOCKET #00-18
EAST DUBLIN, GEORGIA

April 2000



REPLY COMMENTS
LACOM COMMUNICATIONS, INC.
MM DOCKET #00-18
EAST DUBLIN, GEORGIA
April 2000

EXHIBIT #2A

CLEARANCE STUDY FOR EAST DUBLIN, GEORGIA
 USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE		DISPLAY DATES
32 31 58 N	CLASS C3	DATA 03-31-00
82 55 41 W	Current rules spacings	SEARCH 04-04-00
----- CHANNEL 276 -103.1 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
RADD ADD	276C3 32 31 58	East Dublin 82 55 41	GA 0.000 kW	0.0 0M	0.0 20.3	153.0 95.1	-153.00
WPMX LIC CN	275C3 32 26 43	Statesboro 81 58 07	GA 25.000 kW	95.9 100M	90.70 56.4	99.0 61.5	-8.30
Multi-service Corp. BLH-19950818KA							
WVRK LIC HN	275C 32 19 25	Columbus 84 46 46	GA 100.000 kW	262.9 463M	175.67 109.2	176.0 109.4	-0.33
Cumulus Licensing Corp. BLH-2614							
WFXAFM LIC C	276A 33 30 00	Augusta 81 56 03	GA 6.000 kW	40.5 92M	141.88 88.2	142.0 88.3	-0.12
Davis Broadcasting Of Augusta BLH-19990326KB							
WWSN LIC CN	277C 31 09 22	Waycross 81 58 19	GA 100.000 kW	149.2 303M	177.46 110.3	176.0 109.4	1.46
Root Communications License BLH-19881102KB							
WVKX.C CP CN	279A 32 52 48	Irwinton 83 11 07	GA 6.000 kW	328.1 100M	45.44 28.2	42.0 26.1	3.44
Wilkinson Broadcasting BPH-19970818IC							
WVKX LIC CN	279A 32 52 48	Irwinton 83 11 07	GA 3.000 kW	328.1 100M	45.44 28.2	42.0 26.1	3.44
Wilkinson Broadcasting BLH-19940919KD							
WYSC LIC CN	274A 32 03 25	Mcrae 82 51 56	GA 3.000 kW	173.6 88M	53.09 33.0	42.0 26.1	11.09
Imj Broadcasting, Inc. BMLH-19940214KD							
WVEE LIC CN	277C 33 45 35	Atlanta 84 20 07	GA 100.000 kW	316.5 311M	189.09 117.5	176.0 109.4	13.09
Infinity Of Georgia Licensee BLH-19860929KB							
WLCGFM LIC CN	273A 32 34 20	Warner Robins 83 40 13	GA 4.000 kW	273.8 100M	69.85 43.4	42.0 26.1	27.85
Taylor Broadcasting Of Macon BLH-19940902KC							
WBHCFM CP CN	276A 32 50 39	Hampton 81 07 28	SC 6.000 kW	77.9 100M	172.64 107.3	142.0 88.3	30.64
Hampton County Broadcasters BPH-19970626IG							
WBHCFM LIC CN	276A 32 50 39	Hampton 81 07 28	SC 3.000 kW	77.9 100M	172.64 107.3	142.0 88.3	30.64
Hampton County Broadcasters BLH-19880907KC							

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

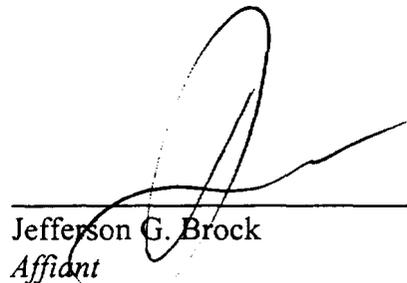
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Lacom Communications, Inc., licensee of Radio Station WELT, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 4th day of April, 2000.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 4th day of April, 2000.*



Notary Public, State of Georgia
My Commission Expires: April 20, 2002

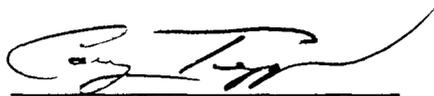
CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 7th day of April, 2000, I have served a copy of the foregoing **"REPLY COMMENTS IN OPPOSITION TO COMMENTS AND COUNTERPROPOSAL"** first-class, postage-prepaid, on the following:

*John A. Karousos
Chief, Allocations Branch
Federal Communications Commission
445 12th Street, S.W.; Room A-321
Washington, D.C. 20554

J. Geoffrey Bentley, P.C.
P.O. Box 807
Herndon, VA 20172-0807

Dan J. Alpert, Esquire
2120 North 21st Road
Arlington, VA 22201



Cary S. Tepper, Esq.

*/ indicates delivery by hand

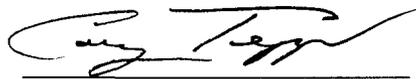
CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 7th day of April, 2000, I have served a copy of the foregoing "**MOTION TO STRIKE SUPPLEMENTAL COMMENTS**" first-class, postage-prepaid, on the following:

*John A. Karousos
Chief, Allocations Branch
Federal Communications Commission
445 12th Street, S.W.; Room A-321
Washington, D.C. 20554

J. Geoffrey Bentley, P.C.
P.O. Box 807
Herndon, VA 20172-0807

Dan J. Alpert, Esquire
2120 North 21st Road
Arlington, VA 22201



Cary S. Tepper, Esq.

*/ indicates delivery by hand