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Before the
Federal Communications Commission
Washington DC

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In the matter of:)	
)	
Amendment of the FM Table of)	MM Docket 00-31
Allotments, §73.202)	RM-9815
(Nogales & Vail, AZ))	
)	

COMMENTS OF REC NETWORKS

REC Networks, through it's wholly owned entity The Arizona Microradio Association (collectively, "REC") files the following comments in the above captioned proceeding.

In this proceeding, Desert West Air Ranchers Corporation ("Desert West") is proposing to substitute Channel 253A in Vail, Arizona for Channel 252A in Nogales, Arizona. REC opposes this substitution for the reasons herein.

In the Notice of Proposed Rulemaking ("Notice") at 3, Desert West notes that they will experience a significant gain area as a result of moving the station to Vail. One main reason for this significant gain is that the proposed transmitter location is just on the fringe of the Tucson urbanized area. REC does recognize the proposed station will only reach a small portion of the Tucson city limit, the "urbanized" area stretches beyond the city limits of Tucson. Even though it is not grounds for denial, we must take into consideration the potential audience gained in the interference contour.

Due to a first adjacent channel station on Channel 252A at Marana, AZ (KOHT-FM), Channel 253 would not be available in the Tucson area for LPFM.

REC does not dispute the claims made by Desert West regarding Vail's eligibility as a community for allotment purposes. Vail is a rapidly growing community in Pima County with it's own Post Office, public services and telephone exchange. REC feels that Vail should be eligible for an allotment.

However, REC does not feel that this allotment should be granted at the expense of the only commercial FM station currently on the air in Nogales, Arizona.

Nogales is the county seat for Santa Cruz County. This is Arizona's smallest county. Nogales is the only community in Santa Cruz County on the FM Table of Allotments. We also note in the Notice at 7, that Nogales has a second aural service on Channel 256A, however the construction permit for this station has expired.

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Desert West wants the Commission to take into consideration the seven FM stations licensed to Nogales, Sonora. REC agrees with the Commission's position that these foreign stations should not be considered as these stations are not subject to essential rules such as main studio and the Emergency Alert System (EAS).

Removing Channel 252A could have a serious impact on the EAS by eliminating the only commercial FM station in Santa Cruz County.

In the opinion of REC, Desert West is "packing up" their Nogales facility and moving to the "big city" (Tucson). REC has been opposed to this type of "fringe casting" as we have seen many cases where the city of license is neglected in programming, public service and access to advertising.

In reviewing the availability of LPFM in Vail, we have found that the community can be served by interference free LP-100 service on Channels 277, 279 and 283 as measured from the Census Bureau's designation for the Vail ZIP Code (not the proposed transmitter site).

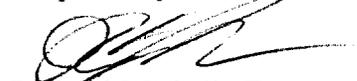
Due to the current state of radio in Nogales, REC feels that this is not a good time to move Santa Cruz County's only commercial radio station to Vail-Tucson.

In the event that the FCC does decide to grant the petition, REC feels that there still needs to be competition for broadcasting in the Nogales area. For this reason, we are recommending that the FCC allot Channel 300A to Nogales as their second aural service with a special negotiated short spacing to Mexican allotments in Agua Prieta and Cananea at the geographic coordinates of the current KZNO. (This would be coordinated internationally as Class A.)

If Desert West seriously feels that Vail needs an allotment, they should consider proposing to allot Channel 267A with a similar directional arrangement to protect a vacant allotment in Agua Prieta. This allotment will also be short spaced with a vacant allotment in Sasabe, Sonora on Channel 266B.

In conclusion, we feel that Vail is ready for it's own station, but not at the expense of Nogales and Santa Cruz County.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

This is to certify that a copy of this pleading will be served upon the petitioner via US Mail:

DESERT WEST AIR RANCHERS CORP.

Mark N. Lipp, Esq.

Shook, Hardy & Bacon

600 14th Street NW

Suite 800

Washington DC 20005

A handwritten signature in black ink, appearing to be 'ML', is located to the right of the recipient's address.

APPENDIX A – AVAILABILITY OF CHANNEL 300A AT NOGALES:

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Channel: 300A

Decimal Coordinates: 31.388000 NL - 110.927200 WL

CALL	CITY	ST	CHN	SV	CL	S	DIST	SEPN	BRNG	CLEARANCE
KHYT	Tucson	AZ	298	FM	C	L	97.1	95.0	349.5°	2.1
	Ures	SO	299	FA	C		223.2	133.0	166.6°	90.2
	Agua Prieta	SO	300	FA	B		130.4	178.0	93.6°	-47.6
KMLE	Chandler	AZ	300	FM	C	L	240.8	226.0	334.1°	14.8
	Caborca	SO	300	FA	B		140.3	178.0	237.1°	-37.7

Class codes for translators-boosters in this report:

DA - 60dBu contours less than 7.3km.

DB - 60dBu contours greater than 7.3km but less than 13.3km.

DC - 60dBu contours greater than 13.3km.

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APPENDIX B -- AVAILABILITY OF CHANNEL 267A AT VAIL

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Channel: 267A

Decimal Coordinates: 31.924900 NL - 110.625000 WL

CALL	CITY	ST	CHN	SV	CL	S	DIST	SEPN	BRNG	CLEARANCE
NEW	Duncan	AZ	264	FM	A	A	174.9	31.0	60.5°	143.9
	Duncan	AZ	264	FA	A	V	168.2	31.0	57.9°	137.2
NEW	Duncan	AZ	264	FM	A	A	167.5	31.0	57.0°	136.5
KSLXFM	Scottsdale	AZ	264	FM	C	L	206.3	95.0	319.7°	111.3
	Nacozari de Garcia	SO	265	FA	A		193.7	31.0	152.5°	162.7
KZMK	Sierra Vista	AZ	265	FM	A	L	53.5	31.0	141.7°	22.5
K265CW	Tucson	AZ	265	FX	DC	L	59.2	0.0	345.6°	59.2
K265CW	Tucson	AZ	265	FX	DA	C	59.2	0.0	345.2°	59.2
KESP	Payson	AZ	266	FM	C1	L	289.7	133.0	343.9°	156.7
	Sasabe	SO	266	FA	B		101.1	125.0	240.0°	-23.9
K267AF	Tucson	AZ	267	FX	DB	C	58.7	0.0	308.0°	58.7
	Colonia Reforma	SO	267	FA	A		190.8	111.0	263.5°	79.8
	Agua Prieta	SO	267	FA	B		122.1	178.0	124.0°	-55.9
	Altar	SO	268	FA	B		178.4	125.0	221.1°	53.4
KZON	Phoenix	AZ	268	FM	C	L	206.2	165.0	319.7°	41.2
KQAZ	Springerville	AZ	269	FM	A	L	276.2	31.0	26.8°	245.2
KQAZ	Springerville	AZ	269	FM	C1	C	275.7	75.0	20.2°	200.7
	Las Palomas	CH	269	FA	B		286.8	69.0	93.8°	217.8
KKYZ	Sierra Vista	AZ	269	FM	A	L	54.4	31.0	136.9°	23.4
K269CY	Tucson	AZ	269	FX	DC	L	55.0	0.0	351.1°	55.0
NEW	Oro Valley	AZ	270	FM	A	A	58.7	31.0	321.6°	27.7
NEW	Oro Valley	AZ	270	FM	A	A	58.8	31.0	321.5°	27.8
	Oro Valley	AZ	270	FA	A	V	60.9	31.0	328.3°	29.9
	Sasabe	SO	270	FA	B		101.1	69.0	240.0°	32.1
NEW	Oro Valley	AZ	270	FM	A	A	63.6	31.0	328.6°	32.6
NEW	Oro Valley	AZ	270	FM	A	A	72.3	31.0	323.7°	41.3
NEW	Oro Valley	AZ	270	FM	A	A	61.0	31.0	317.7°	30.0
NEW	Oro Valley	AZ	270	FM	A	A	61.2	31.0	330.0°	30.2
	Sonoita	SO	270	FA	C		195.6	75.0	268.6°	120.6
NEW	Oro Valley	AZ	270	FM	A	A	62.9	31.0	330.1°	31.9
NEW	Oro Valley	AZ	270	FM	A	A	61.0	31.0	328.9°	30.0
NEW	Oro Valley	AZ	270	FM	A	A	65.5	31.0	321.2°	34.5
NEW	Oro Valley	AZ	270	FM	A	A	58.6	31.0	321.6°	27.6

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