

ORIGINAL

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

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
(New Richmond, Wisconsin and)
Coon Rapids and Moose Lake, Minnesota))

DOCKET FILE COPY ORIGINAL

MM Docket No. 00-37
RM- 9749

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APR 24 2000

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COMMENTS

Smith Broadcasting Company, Inc. ("Smith"), licensee of Station WIXK-FM, New Richmond, Wisconsin, by its counsel, hereby files Comments in support of the Notice of Proposed Rule Making ("NPRM"), DA 00-481, released March 2, 2000. Smith reaffirms its expression of interest in reallocating Channel 296 from New Richmond to Coon Rapids, Minnesota, upgrading the channel from Class C3 to Class C2 and modifying the license of WIXK-FM accordingly. Smith will file an application for Channel 296C2 at Coon Rapids, Minnesota if the Commission approves the proposal and will construct the facility, if authorized to do so.¹ Smith also reaffirms its intention to reimburse the licensee of Station KBFH, Moose Lake, Minnesota.

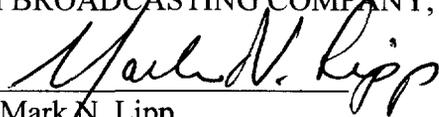
1. On April 21, 2000, Smith and Agate Broadcasting, Inc., licensee of Station KBFH, Moose Lake, Minnesota filed contingent applications pursuant to Section 73.3517 of the Commission's Rules. The Smith application proposes a one step upgrade from Channel 296C3 to Channel 296C2 at New Richmond. This application is filed only as an interim measure in the event there is a delay in processing the instant petition. Should the instant rule making be granted prior to the application, Smith intends to implement the rule making. Should the application be granted first, Smith still intends to implement the rule making proposal and provide a first local service to Coon Rapids. Similarly, Agate Broadcasting, Inc. has authorized undersigned counsel to state that it also fully intends to implement the rule making proposal and operate on Channel 249A instead of its current Channel 296A. Agate's application specifies Channel 295A instead of Channel 296A. Nevertheless, even if the application for Channel 295A is granted, Agate requests that the Commission substitute Channel 249A at Moose Lake as proposed in the NPRM.

Smith's proposal will provide a first local service to Coon Rapids, Minnesota and substantial gains in area and population as set forth in the NPRM. Accordingly, Smith urges the Commission to grant the rule making proposal as set forth in the NPRM.²

Respectfully submitted,

SMITH BROADCASTING COMPANY, INC.

By:


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Its Counsel

April 24, 2000

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2. On February 29, 2000, Smith filed an application to assign the licenses of Stations WIXK(AM) and WIXK-FM to Hubbard Broadcasting, Inc., (BAL-20000229ABP and BALH-20000229ABQ). Hubbard Broadcasting, Inc., has authorized undersigned counsel to state that should the rule making proposal be granted, when it becomes the licensee it also intends to implement the proposal by filing an application and constructing the authorized facility.

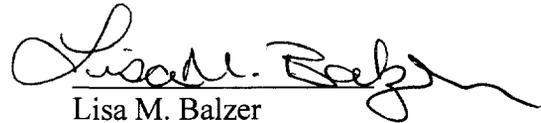
CERTIFICATE OF SERVICE

I, Lisa M. Balzer, a secretary in the law firm of Shook, Hardy and Bacon, do hereby certify that I have on this 24th day of April, 2000 caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**Comments**" to the following:

* Ms. Kathleen Scheuerle
Allocations Branch
Federal Communications Commission
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Room 3-A247
Washington, DC 20554

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Lisa M. Balzer

* HAND DELIVERED