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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,)
(Lynn Haven, Florida))

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

PETITION FOR RULE MAKING

Beacon House Communications ("BHC"), by Counsel, and pursuant to §1.401 of the Commission's Rules, hereby respectfully petitions the Commission to institute Rule Making proceedings for amendment of the FM Table of Allocations to add Channel 282A (104.3 MHz) to Lynn Haven, Florida, as its first aural FM facility, as follows:

<u>City / State</u>	<u>Existing</u>	<u>Proposed</u>
Lynn Haven, Florida	---	282A

In support hereof, the following is shown:

Background

1. Lynn Haven is located in Bay County, Florida. There are no radio stations presently licensed to Lynn Haven.
2. BHC believes that none of the area radio stations provide programming that is responsive to the unique interests and needs of Lynn

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Haven. As indicated below, if these efforts are successful, BHC will file an application to provide such FM radio service to Lynn Haven.

Technical Criteria

3. Attached hereto as Exhibit No. 1 is an Engineering Statement prepared by Graham Brock, Inc. wherein it is demonstrated that Channel 282A may be allotted to the community of Lynn Haven, Florida in compliance with Section 73.207 of the Commission's Rules regarding current spacing requirements. According to the Engineering Statement, Channel 282A may be allotted to Lynn Haven at site reference coordinates North Latitude 30 - 11 - 20 and West Longitude 85 - 42 - 20. From this location, the 3.16 mV/m city-grade contour will encompass the entire community of Lynn Haven.

Allotment Eligibility

4. According to the Lynn Haven City Hall/¹, Lynn Haven is an incorporated town, has its own elected government comprised of a mayor and four commissioners, has its own fire and police departments, and provides water, garbage and sewer service to the residents of Lynn Haven. Lynn Haven is also home to the Lynn Haven Elementary School/², the Mowat Middle School/³ and Mosley High School./⁴ Lynn Haven is also home to numerous

¹ The telephone number of the Lynn Haven City Hall is (850) 265-2121.

² The Lynn Haven Elementary School is located at 301 West 9th Street, Lynn Haven, Florida 32444. Telephone number (850) 265-2131.

³ The Mowat Middle School is located at 1903 Highway 390, Lynn Haven, Florida 32444. Telephone number (850) 271-6140.

⁴ Mosley High School is located at 501 Mosley Drive, Lynn Haven, Florida 32444. Telephone number (850) 872-4400.

businesses and houses of worship, many of which use the town's name, such as⁵:

Lynn Haven Coin Laundry
Lynn Haven Child Care
Lynn Haven Seafood Market
Lynn Haven Florist
Lynn Haven Presbyterian Church
Lynn Haven Methodist Church
Lynn Haven Baptist Church

Finally, the U.S. Census Bureau has a separate town listing for Lynn Haven, indicating a 1990 population of 9,298 and a 1998 estimated population of 12,604.

5. BHC submits that when all of the above factors are considered -- especially Lynn Haven's elected government and government services, and the use of the Lynn Haven name in several businesses and an elementary school - - the Commission should conclude that Lynn Haven has a geographically identifiable population grouping that is worthy of the allotment of a broadcast channel to the community. *See, e.g., Hannibal, Ohio, 6 FCC Rcd. 2144, 69 RR 2d 113 (MMB 1991); FM Channel Assignments: Middletown, California, 69 RR 2d 1626 (MMB 1991); Oak Grove, FL, 5 FCC Rcd 3774 (1990).*

Public Interest Showing

6. Objective indicia of community status is present to support the allotment of Channel 282A to Lynn Haven, Florida. And, the population growth in the community of Lynn Haven is further evidence of the need for this first local radio service.

⁵ This information was supplied by the Lynn Haven City Hall.

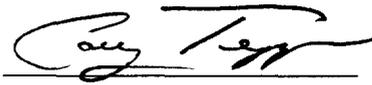
Statement of Interest

7. BHC hereby expresses its intention to apply for Channel 282A at Lynn Haven, Florida, if that Channel is allotted by the Commission, and that further, if its Application is granted, to construct and operate that facility.

WHEREFORE, the above premises considered, BHC respectfully urges the Commission to GRANT the instant Petition, and to AMEND the Table of FM Allotments to specify Channel 282A at Lynn Haven, Florida.

Respectfully submitted,

BEACON HOUSE COMMUNICATIONS

By: 

Cary S. Tepper

Its Attorney

Booth, Freret, Imlay & Tepper, P.C.
5101 Wisconsin Avenue, N.W.
Suite 307
Washington, D.C. 20016-4120

(202) 686-9600

April 26, 2000

Exhibit No. 1

(Supporting Technical Statement)

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

PETITION FOR RULE MAKING
BEACON HOUSE COMMUNICATIONS
ALLOT CHANNEL 282A
LYNN HAVEN, FLORIDA
April 2000

TECHNICAL EXHIBIT

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PETITION FOR RULE MAKING
BEACON HOUSE COMMUNICATIONS
ALLOT CHANNEL 282A
LYNN HAVEN, FLORIDA
April 2000

TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of Beacon House Communications (“BHC”), a petitioner seeking the allotment of Channel 282A to Lynn Haven, Florida, as that community’s first local service.

DISCUSSION

2. Lynn Haven, Florida, is an incorporated community located in Bay County, Florida. According to the 1990 US Census, Lynn Haven has a population of 9,298 persons.¹ The town has an elected Mayor and four member town council and provides its own police and fire departments. Further, Lynn Haven provides its own water, sewer and garbage services.

REQUEST

3. Channel 282A can be allotted to Lynn Haven, Florida, at North Latitude 30° 11' 20" and West Longitude 85° 42' 20. This represents a site restriction 8.5 kilometers to the southwest of the community to avoid shortspacing WGLF, Tallahassee, Florida, and WQLD, Luverne, Alabama. Attached as Exhibit #1 is a usable area map indicating where a transmitter site for Channel 282A can be located. Exhibit #2 is a §73.207 spacing study showing that the proposed allotment of Channel 282A at Lynn Haven meets the Commission’s minimum distance separation requirements to all licensed, applied for or proposed facilities. From the proposed reference site, a 3.16 mV/m contour will be delivered to Lynn Haven.

1) 1998 Census Bureau estimates indicate a population of 12,604 persons.

4. There, BHC proposes the following amendment to §73.202(b) of the Commission's rules:

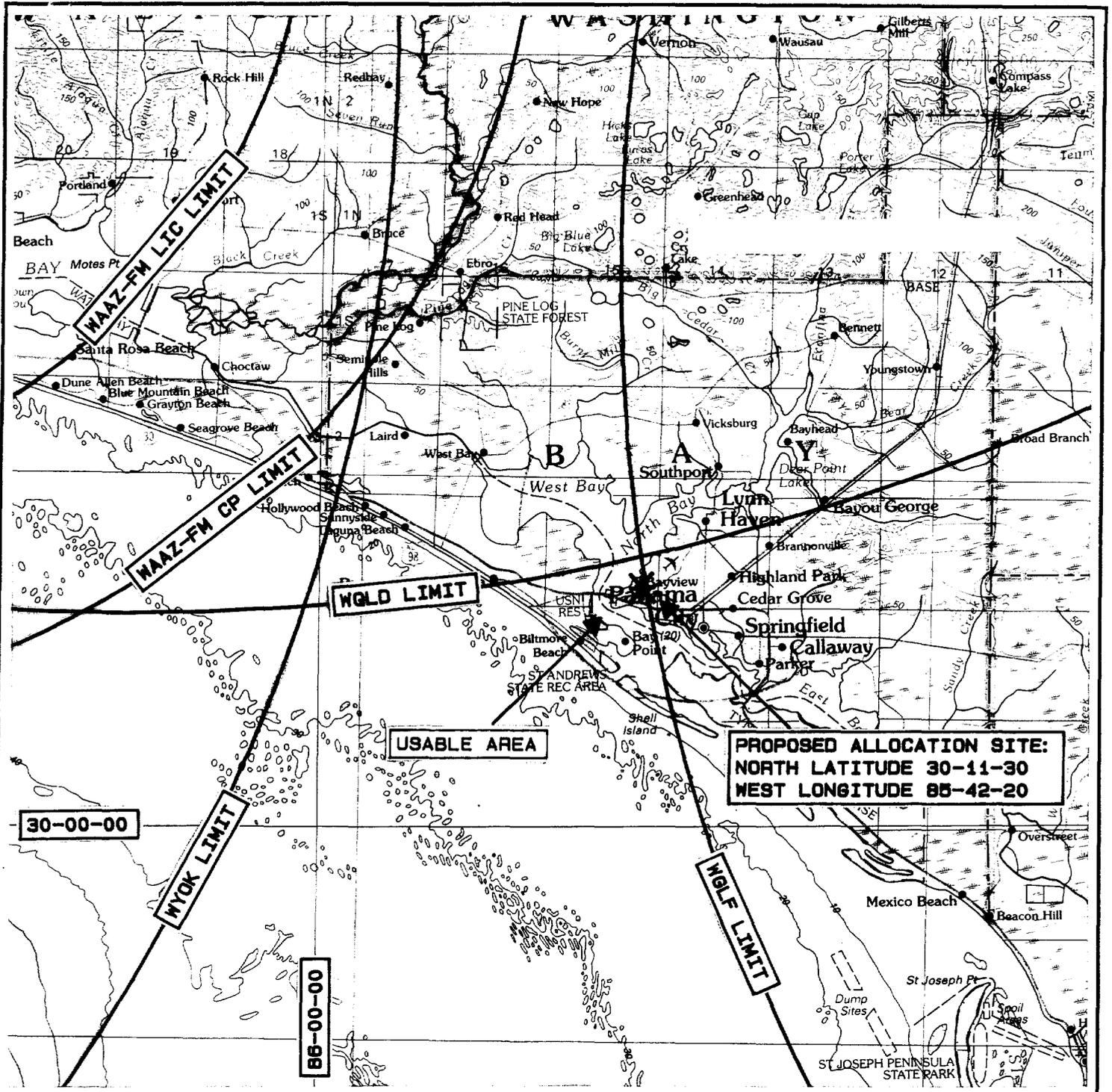
Lynn Haven, Florida

<u>Present</u>	<u>Proposed</u>
None	282A

PUBLIC INTERESTS

5. The allotment of Channel 282A to Lynn Haven, Florida, will provide the community with its first locally licensable service. A maximum Class A facility from the proposed reference site will provide 1.0 mV/m service to 123,218 persons in 2,512.4 square kilometers. At the appropriate time, following the allotment of Channel 282A to Lynn Haven, BHC will submit the necessary form to the Commission, indicating its desire to build a new FM station on Channel 282A at Lynn Haven.

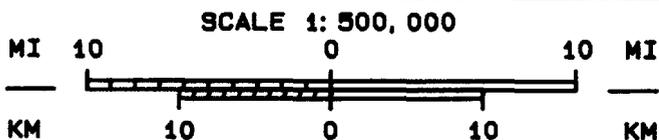
6. The foregoing technical statement was prepared on behalf of Beacon House Communications by Graham Brock, Inc., its Technical Consultants. All data relating to FM facilities was extracted from the CDBS database, as updated on April 21, 2000, and population data was extracted from the 1990 Census PL 94-171 files. We assume no liability for error or omission in either database which may be adverse to the requests contained herein.



USABLE AREA MAP

MAP IS A PORTION OF THE 1: 500, 000 SCALE
U.S.G.S. BASE STATE MAP OF FLORIDA

EXHIBIT #1
PETITION FOR RULE MAKING
BEACON HOUSE
COMMUNICATIONS
ALLOT CHANNEL 282A
LYNN HAVEN, FLORIDA
April 2000



GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

**PETITION FOR RULE MAKING
 BEACON HOUSE COMMUNICATIONS
 ALLOT CHANNEL 282A
 LYNN HAVEN, FLORIDA
 April 2000**

EXHIBIT #2

Allocation study for Lynn Haven Florida
 Using proposed allocation site as reference

REFERENCE	CLASS = A	DISPLAY DATES
30 11 20 N	Current Spacings	DATA 04-21-00
85 42 20 W		SEARCH 04-24-00
----- Channel 282 - 104.3 MHz -----		

Call N. Lat.	Channel W. Lng.	Location	Power	Dist HAAT	Azi	FCC	Margin

AD282	ADD 282A	Lynn Haven	FL	0.0	0.0	115.0	-115.00
30 11 20	85 42 20		0.000 kW		0 M		
Beacon House Communications							
WGLF	LIC 281C	Tallahassee	FL	165.30	79.3	165.0	0.30
30 27 09	84 00 50	CY	100.000 kW		425 M		
		Cumulus Licensing Corp.			BMLH19920818KH	64559	
WQLD	LIC 282C1	Luverne	AL	202.70	347.8	200.0	2.70
31 58 28	86 09 44	DCN	13.500 kW		558 M		
		Capstar Tx Limited Partnershi			BLH19970731KB	6655	
WYOK	LIC 281C	Atmore	AL	192.78	285.1	165.0	27.78
30 37 35	87 38 50	CN	100.000 kW		474 M		
		Cumulus Licensing Corp.			BMLH19880321KA	8680	
WAAZFM	APP 284C1	Crestview	FL	106.03	307.5	75.0	31.03
30 46 01	86 35 07	CN	100.000 kW		148 M		
		Crestview Broadcasting Compan			BPH19990402IF	14495	
WEBZ	LIC 228C2	Port St. Joe	FL	59.43	133.6	15.0	44.43
29 49 09	85 15 34	CN	14.500 kW		204 M		
		Jacor Licensee Of Louisville			BLH19940613KM	67579	
WAAZFM	LIC 284C2	Crestview	FL	105.91	307.5	55.0	50.91
30 45 56	86 35 06	HN	30.000 kW		84 M		
		Crestview Broadcasting Compan			BLH19931124KD	14495	

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

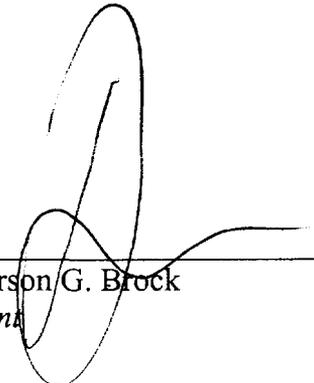
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Beacon House Communications 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 25th day of April, 2000.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 25th day of April, 2000.*

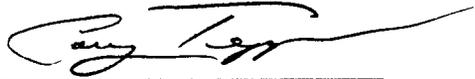


*Notary Public, State of Georgia
My Commission Expires: April 20, 2002*

CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 26th day of April, 2000, I have served a copy of the foregoing "**Petition for Rule Making**" first-class, postage-prepaid, on the following:

*John A. Karousos
Chief, Allocations Branch
Federal Communications Commission
445 12th Street, S.W.; Room 3-A266
Washington, D.C. 20554

A handwritten signature in black ink, appearing to read "Cary Tepper", written over a horizontal line.

Cary S. Tepper, Esq.

*/ indicates delivery by hand