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FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, DC 20554

In the Matter of

Amendment of Section 73.202(b) )
Table of Allotments ) MM Docket No. \_\_\_\_\_
FM Broadcast Stations ) RM - \_\_\_\_\_
(Woodville and Wells, Texas)

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

PETITION FOR RULE MAKING

Radio Woodville, Inc. ("Petitioner"), licensee of Station KVLL(FM), Woodville, Texas by its counsel, hereby requests the Commission amend the FM Table of Allotments to substitute Channel 234C2 at Wells, Texas for Channel 234C2 at Woodville, Texas. If the Petition is granted, Petitioner will file an application to modify the KVLL (FM) license to specify operation on Channel 234C2 at Wells, Texas. In support hereof, Petitioner states as follows:

I. WELLS, TEXAS

A. TECHNICAL ANALYSIS

1. As demonstrated in the attached Technical Analysis Statement, Channel 234C2 can be allotted to Wells at coordinates 31°12' 37" NL 94°57' 15" WL consistent with Section 73.207 of the Commission's Rules. The Technical Analysis demonstrates that a 70 dBu signal can be provided to Wells from the proposed reference point without shadowing.

2. The proposed 60 dBu contour will provide service to 124,334 persons. The existing KVLL facility provides service to 108,340 persons, resulting in a net gain in population of 15,994 persons. In addition the loss area will be served by more than five aural services. A listing of a

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List A B C D E
MMB

sufficient number of broadcast stations which provide service to the residents within the loss area is contained in the Technical Analysis Statement.

### **B. CHANGE IN COMMUNITY OF LICENSE**

3. Petitioner desires to change its community of license from Woodville to Wells, Texas to provide a first local service under the prerequisites set forth in Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 3870 (1989), recons. granted in part, 5 FCC Rcd 7094 (1990). First, the proposed use of Channel 234C2 at Wells is mutually exclusive with the current use of Channel 234C2 at Woodville. Second, the Wells proposal is preferred under the Commission's priorities because Wells would receive a first local service (Priority 3) while Woodville would retain local service from KVLL (AM). See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982). As a result, Woodville would continue to receive local service.

4. Wells is located in Cherokee County. According to the 1990 U.S. Census, Wells had a population of 761. The 1998 U.S. Census estimates the population at 802. See Exhibit A. Wells has its own police and fire departments plus a public library. There are eight churches and a medical clinic in Wells. The Wells Independent School District consists of a middle school and a high school. Wells has its own post office and zip code (95976). See Exhibit A. Based on the foregoing, Wells is a community for allotment purposes, and is of sufficient status to deserve its own radio station. See, e.g., Gualala, California, 5 FCC Rcd. 6268 (1990).

5. Should the Commission approve the reallocation of Channel 234C2 to Wells, Texas, Petitioner will apply for the channel and construct the facility if authorized to do so.

**C. CONCLUSION**

6. The reallocation of Channel 234C2 to Wells, Texas is in the public interest because Wells will receive a first local service and there will be a gain in population. Furthermore, the residents of the Woodville area will continue to be served by numerous radio stations and Woodville will retain local service.

Respectfully Submitted,

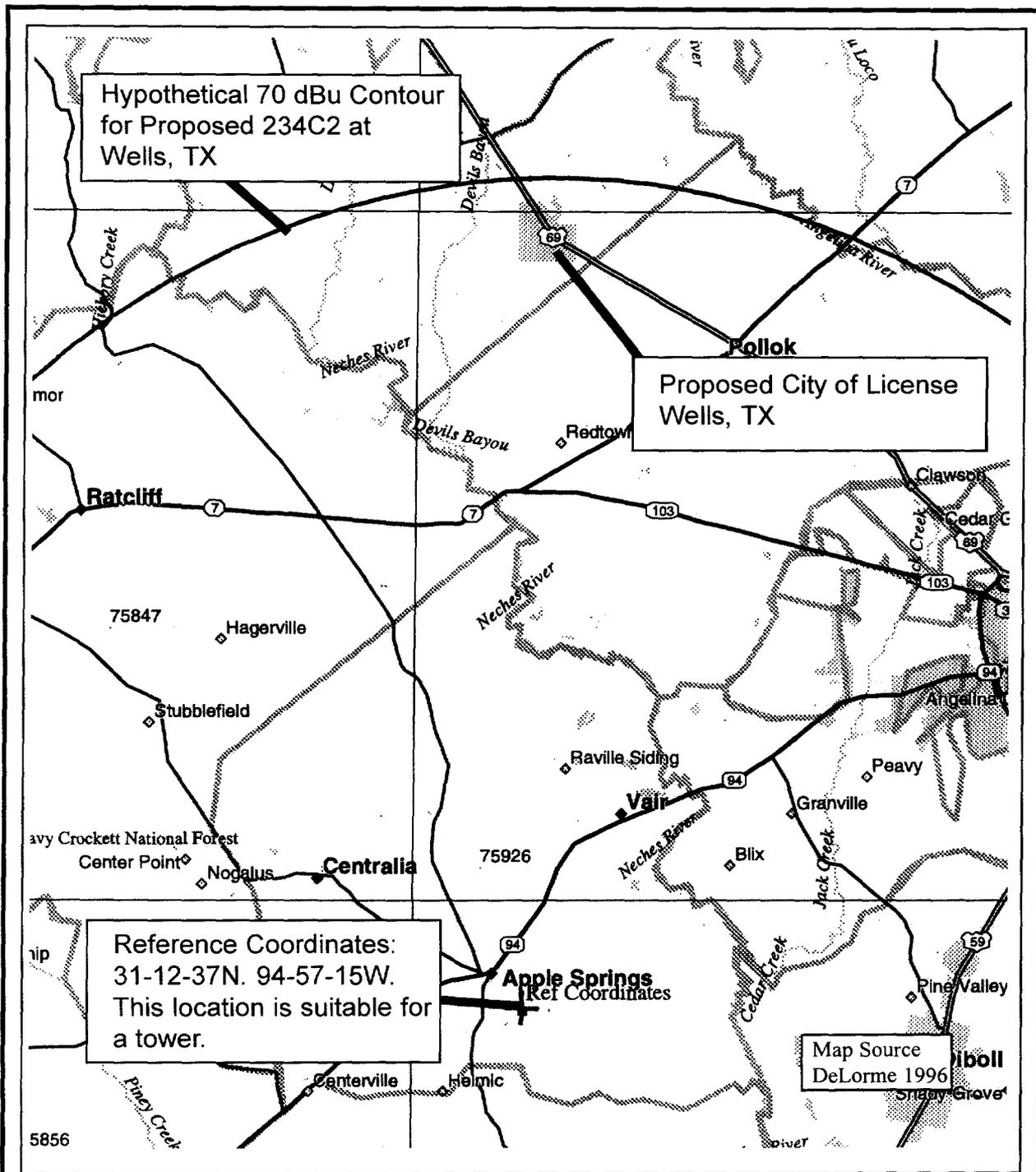
RADIO WOODVILLE, INC.

By: 

Mark N. Lipp  
Scott C. Cinnamon  
Shook, Hardy & Bacon  
600 14th Street, NW  
Suite 800  
Washington, DC 20005  
(202) 783-8400

Its Counsel

May 31, 2000



**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Allotment Map**

**Scale 1:250,000**

04-07-2000

Radio Woodville, Inc

FM Study for: KVLLEFM	FCC Database Date: 2/2000	31-12-37
Location: Wells, TX	Channel Class: C2	94-57-15
Call City, State	Chan Class Freq kW Latitude Dist.	Required
Status Proponent	File Number HAAT Longitude Azm.	Clear (km)

>>>>>>> Study For Channel 234 94.7 mHz <<<<<<<<

KVLLEFM WOODVILLE, TX 234 C2 94.7 50. 31-00-32 57.0 190  
LIC Trinity Valley Broadc BLH-930812KF 150 94-24-14 112.9 -133.0 SHORT  
Use of 73.215 for short spacing requires: 177 -120.0 SHORT

NEW CORRIGAN, TX 232 A 94.3 30-59-30 24.5 55  
ADD Corrigan B/C, Russell Docket-98-135 0 94-59-41 189.1 -30.5 SHORT  
Use of 73.215 for short spacing requires: 53 -28.5 SHORT

Alt CH, Loc 15.7 km West of Corrigan  
In Docket 98-135, channel 261A was allotted at Corrigan, TX. See MO&O adopted March 1, 2000.

KRUF SHREVEPORT, LA 233 C 94.5 99. 32-40-13 188.49 188  
LIC Progressive United Co BLH-880314KB 334 93-55-59 30.5 +0.49 CLOSE

KLDE HOUSTON, TX 233 C 94.5 95. 29-34-34 188.87 188  
LIC Bonnevillle Holding Co BLH-831031AT 585 95-30-36 196.6 +0.87 CLOSE

KSBH COUSHATTA, LA 235 C2 94.9 50. 31-48-21 164.0 130  
CP Elite Broadcasting Co BPH-980803IA 150 93-22-24 65.9 +34.0 CLEAR  
One-step application from Channel 235C3

**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Reference Coordinates  
31-12-37 N. Latitude  
94-57-15 W. Longitude**

**Spacing Study**



## **Gain Area, Loss Area - Remaining Services Showing**

In the instant proposal, the reference coordinates of station KVLL-FM are moved some 57 KM Northwest. As such, there are areas where coverage is gained and additional persons served. There are also areas where coverage is lost and persons would no longer served by KVLL-FM.

The present KVLL-FM 60 dBu [FCC 50-50] contour encompasses 108,340 persons in 9 counties in East Texas. The proposed KVLL-FM 60 dBu [FCC 50-50] contour would encompass 124,334 persons in 8 counties of East Texas. The proposed KVLL-FM contour would no longer serve a small area of Northwest Newton County (an unpopulated area) southwestern Sabine County and Northern Jasper County, substituting coverage of nearly all of Trinity County and a significant part of Eastern Houston County and southern Rusk County. There would be a net service gain of 15,994 persons.

The gain area is located in southwestern Nacogdoches County, northwestern Angelina County, southeastern Rusk and Houston Counties and Trinity County. The gain area, defined as the area within the 60 dBu [FCC 50-50] contour of the proposed KVLL-FM facility but outside the existing 60 dBu [FCC 50-50] contour, is approximately 5,025 square kilometers and encompasses 59,018 persons.

The loss area is located in central Tyler County, eastern Polk County, northern Jasper County northwestern Newton County and southeastern Sabine County. The loss area, defined as the area within the 60 dBu [FCC 50-50] contour of the existing KVLL-FM facility but outside the proposed KVLL-FM 60 dBu [FCC 50-50] contour, is approximately 5,410 square kilometers and encompasses 43,024 persons.

Although the loss area is served in whole or part by some 32 or more AM and FM stations, the instant petition will endeavor to show that there are at least 5 or more services available in every location where KVLL-FM service will be lost, whether populated or not. The instant petition would create no white or gray areas if granted.

To demonstrate this, 7 coverage maps are included. The first shows the present and proposed KVLL-FM contours, in order to define the "loss area." The remaining 6 maps show the loss area and combinations of existing licensed services or valid construction permits, each of which comprises a showing of service throughout the loss area. By preparing separate showings, it is the petitioner's intention to simplify the determination that no part of the loss area contemplated by this petition is without the requisite 5 aural services. Wishing to be conservative, these maps show clearly no less

**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

**Narrative  
Page 1**

### **Gain Area, Loss Area - Remaining Services Showing, continued**

than 6 services for each and every location within the loss area. The exhibits make use of only about a third of the stations which serve the general area. As such, many areas have an even greater number of services. The totality of services can be seen in the map exhibit of all area services.

Service #1: KEEL-AM; The interference free (0.5 mV/M) contour of KEEL-AM, Shreveport, LA completely encompasses the loss area.

Service #2: KLVI-AM; The Interference free (0.5 mV/M) contour of KLVI-AM, Beaumont, TX completely encompasses the loss area.

Service #3: KTXJ-AM and KJOJ-AM; The interference free (0.5 mV/M) contours of KTXJ-AM, Jasper, TX and KJOJ-AM, Conroe, TX overlap in such a way as to completely encompass the loss area.

Service #4: KLBG-AM, KSFA-AM and KVLL-AM; The interference free (0.5 mV/M) contours of KLBG-AM, Alexandria, LA, KSFA-AM, Nacogdoches, TX and KVLL-AM, Woodville, TX overlap in such a way as to completely encompass the loss area.

Service #5: KAFX-FM, KTRH-AM and KWYX-FM; The interference free (0.5 mV/M) contour of KTRH-AM, Houston, TX overlaps the interference free (60 dBu) contours of KAFX-FM, Diboll, TX and KWYX-FM, Jasper, TX in such a way as to completely encompass the loss area.

Service #6: KYKS-FM, KDLA-AM, KOVE-FM, KJAS-FM and KKTL-FM (CP); The interference free (0.5 mV/M) contour of KDLA-AM, De Ridder, LA overlaps the interference free (60 dBu) contours of KYKS-FM, Lufkin, TX, KOVE-FM, Port Arthur, TX, KJAS-FM, Jasper, TX, and the construction permit held by KKTL-FM (BPH-19970917) in such a way as to completely encompass the loss area.

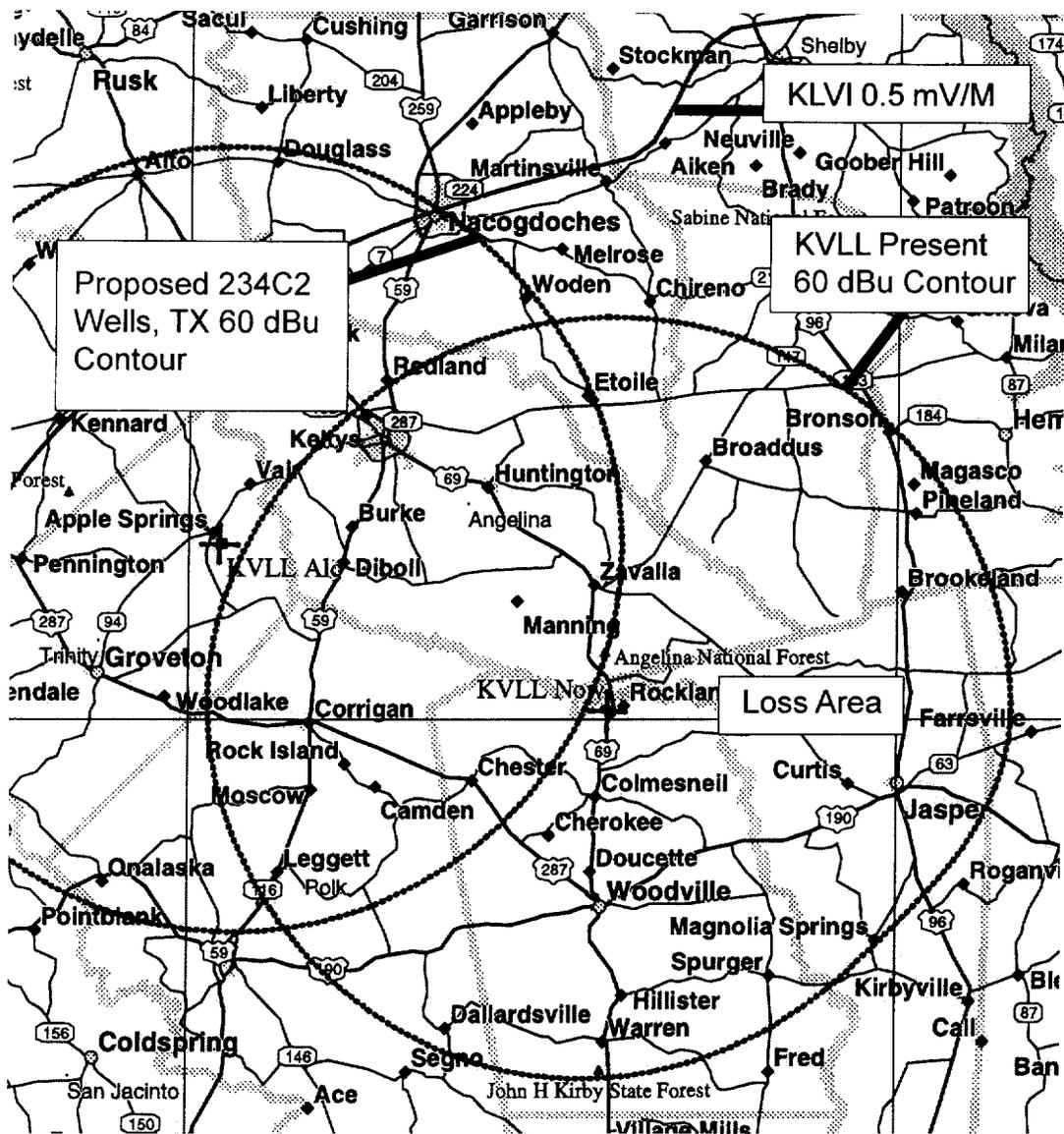
The foregoing is provided as explicit proof that there are no less than 6 remaining aural services at any location within the proposed loss area. As such, Radio Woodville, Inc. believes the instant petition would create no white or gray areas if granted.

**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

**Narrative  
Page 2**



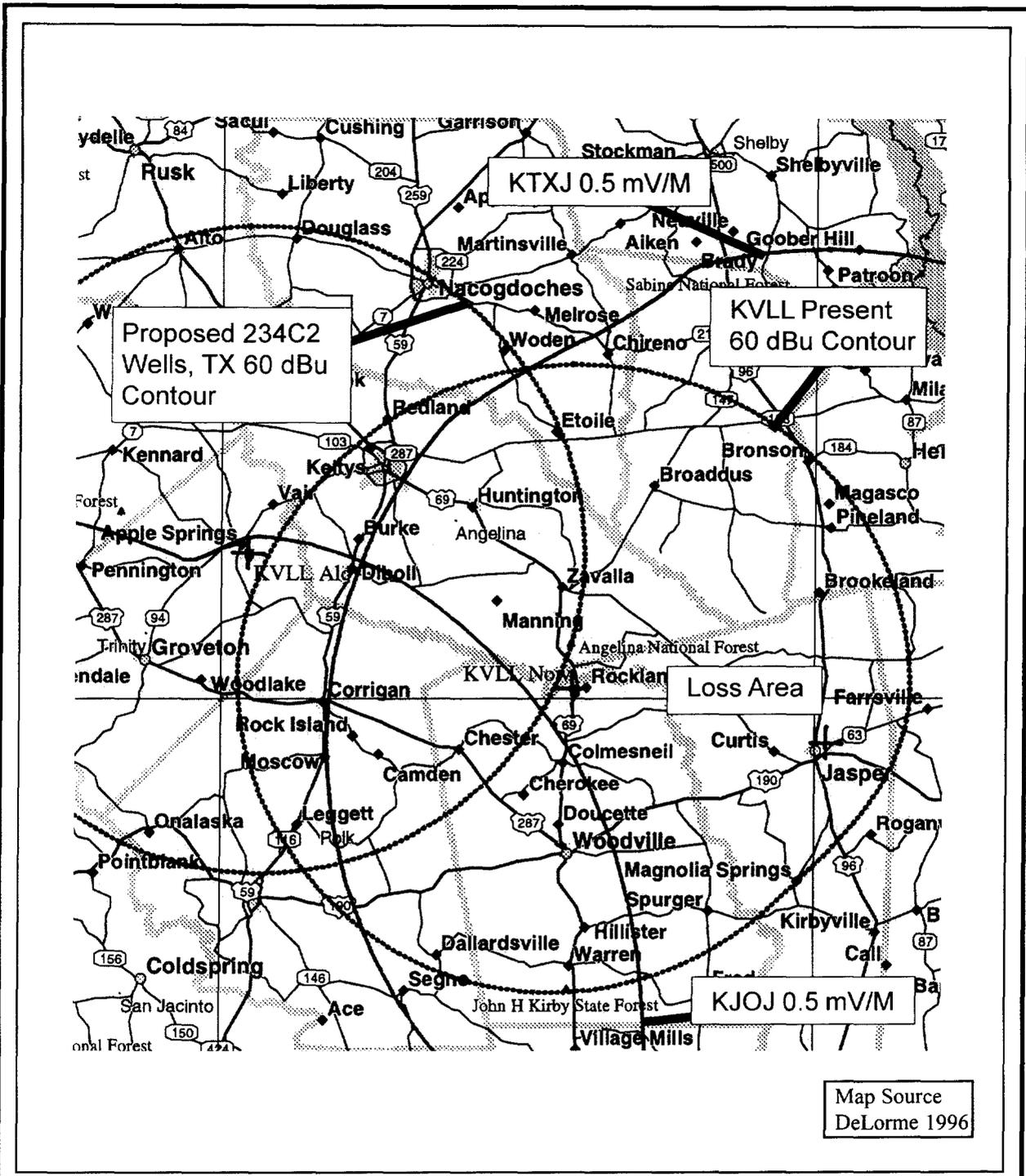


Map Source  
DeLorme 1996

**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

**Service #2**

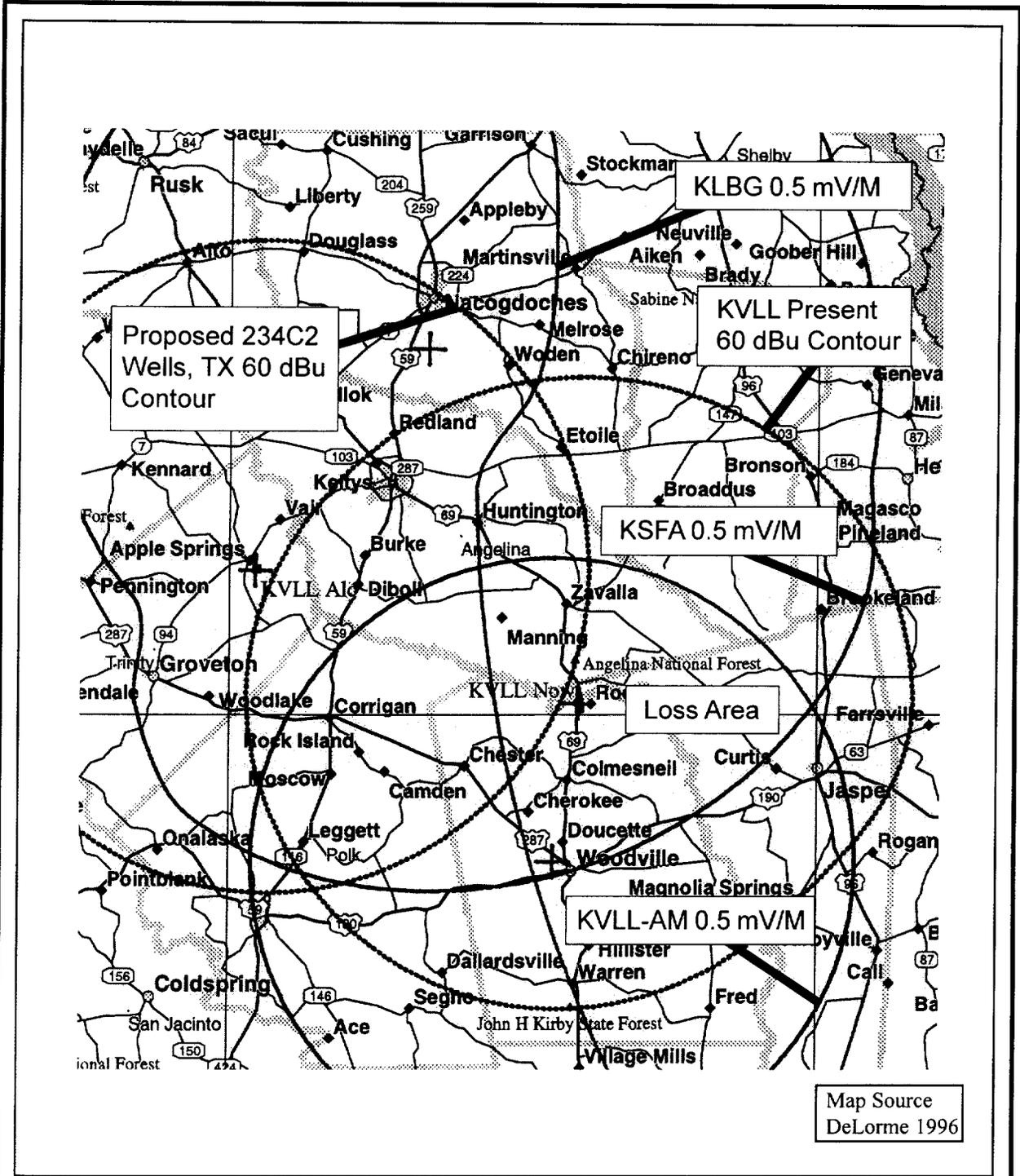


Map Source  
DeLorme 1996

**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

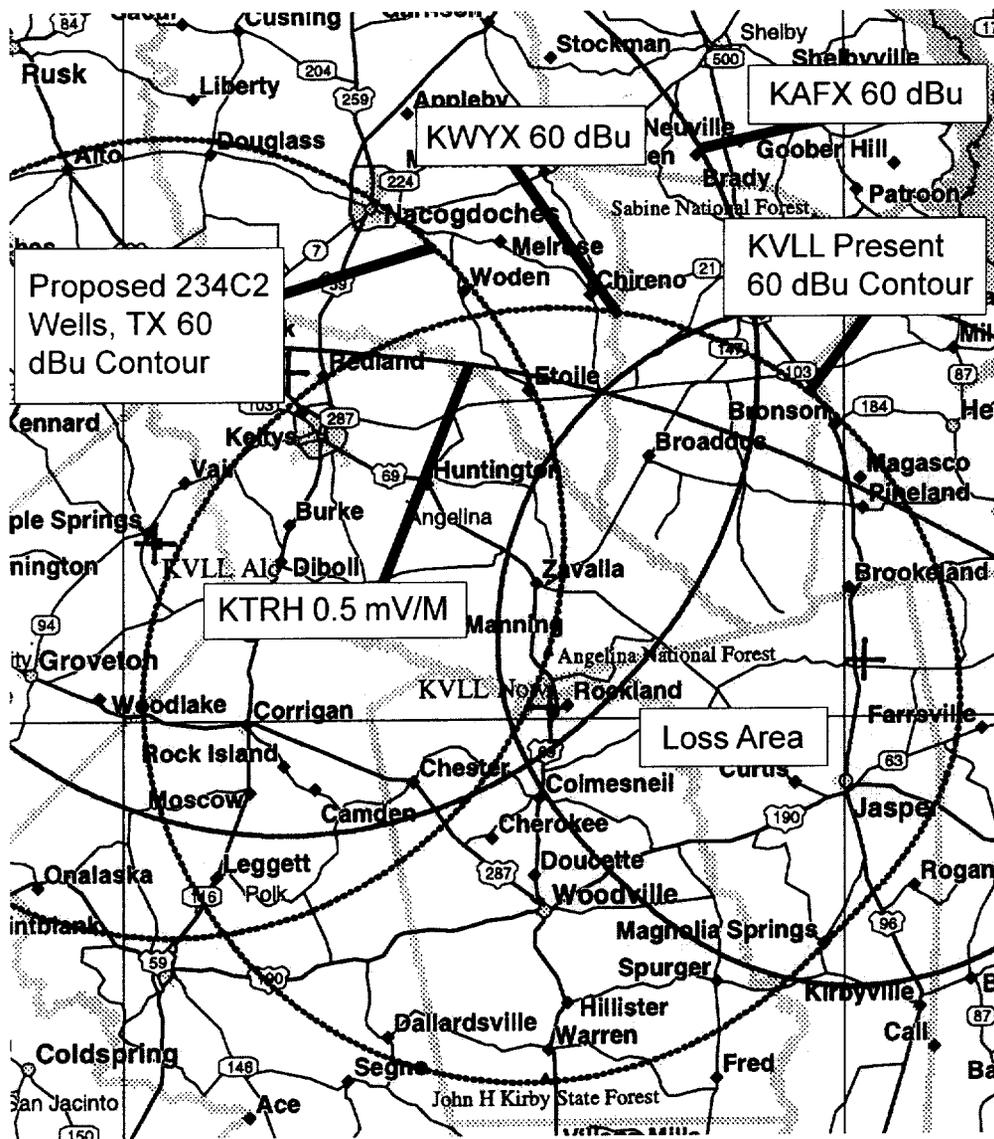
**Service #3**



**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

**Service #4**

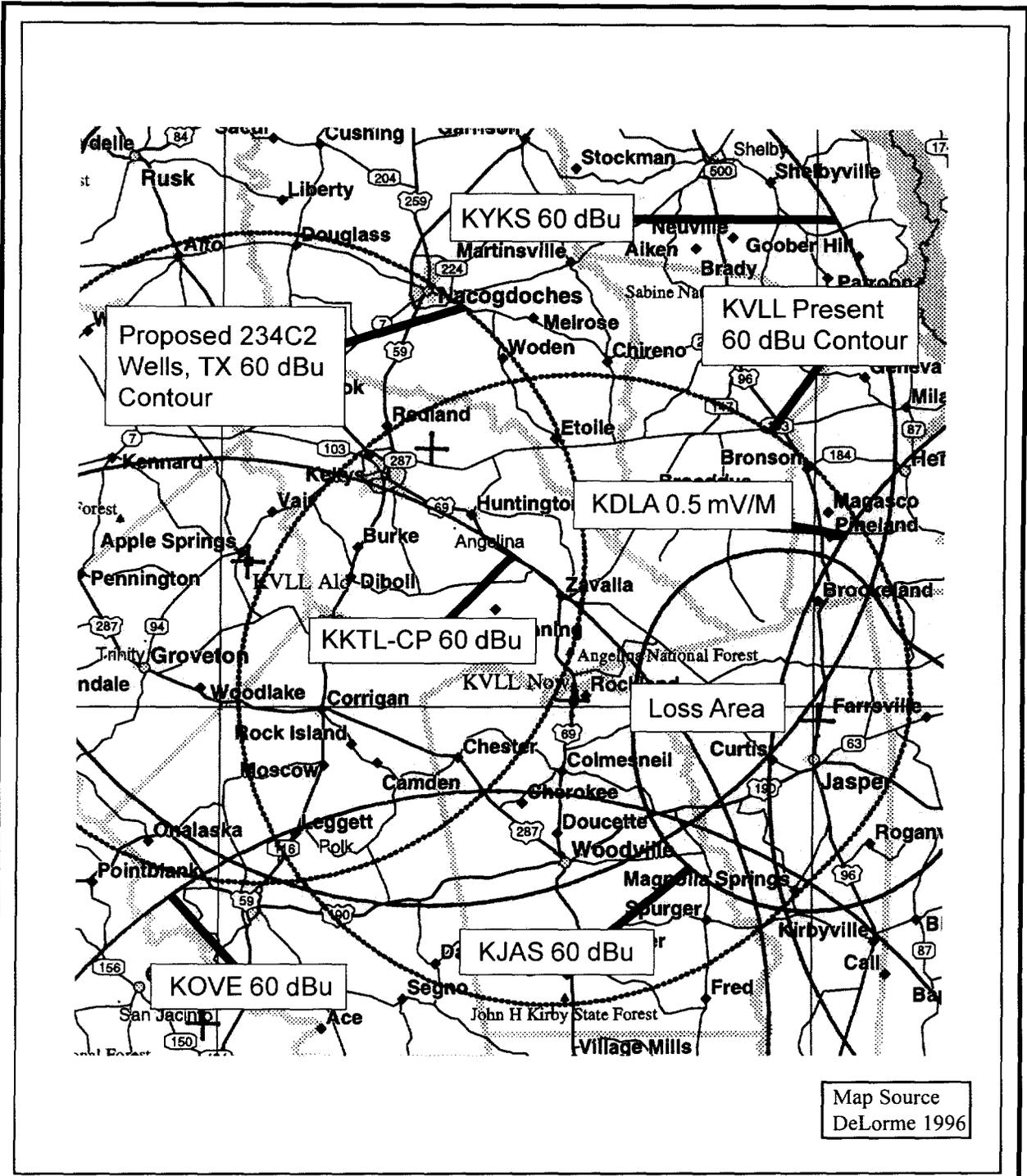


Map Source  
DeLorme 1996

**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

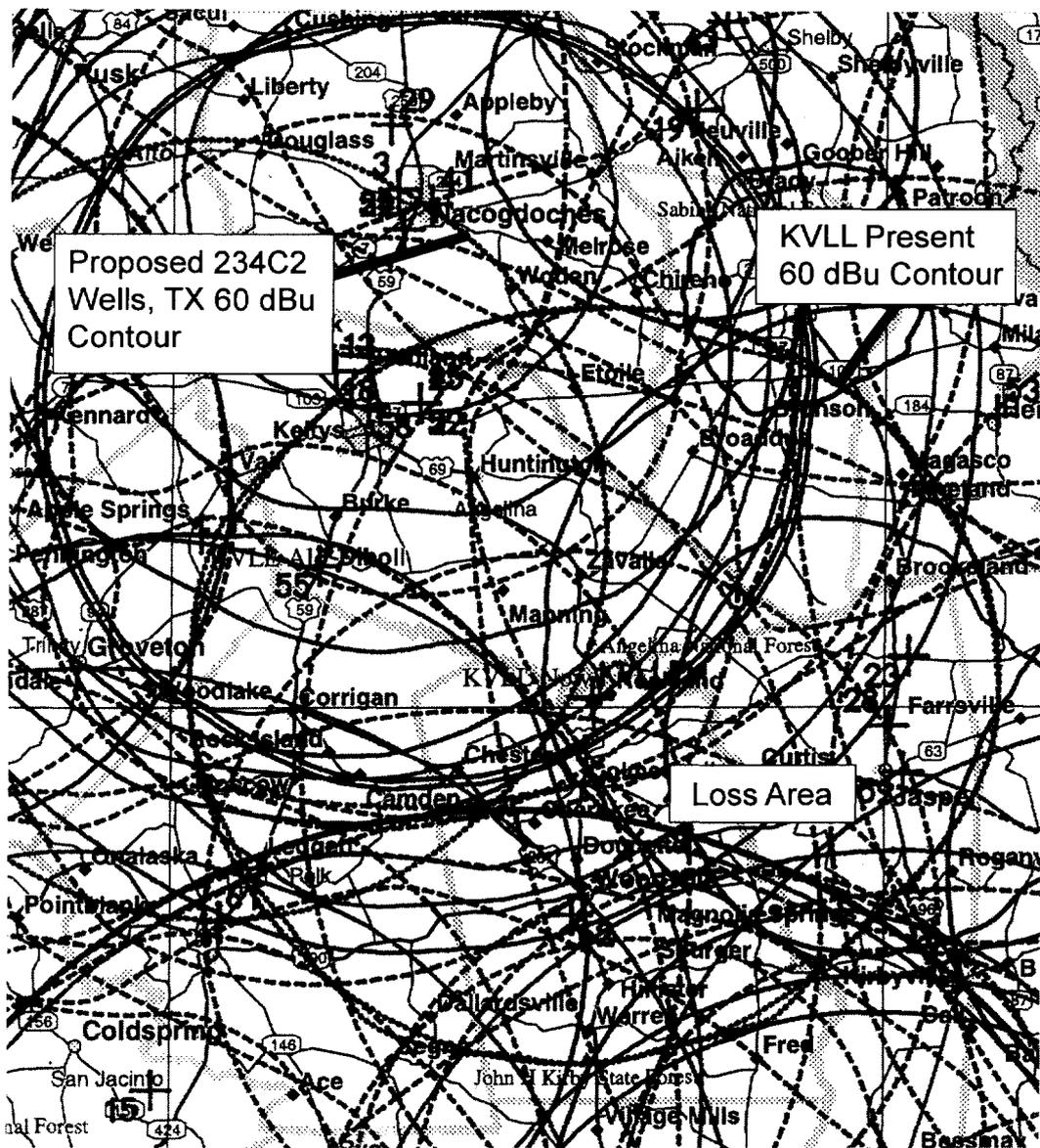
**Service #5**



**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

**Service #6**



Map Source  
DeLorme 1996

**Radio Woodville,  
Inc.**

**234C2  
Wells, TX  
Remaining Services Showing**

**All Area Services**



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Comanche County Sheriff Dept	Highway 69 N	Wells, TX	(409) 867-4150
Wells Police Dept		Wells, TX	(409) 867-5593

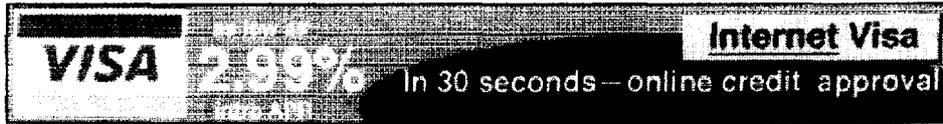
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Session Rube Memorial Library	Highway 69 N	Wells, TX	(409) 867-4757

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Business Name	Address	City	Phone
<a href="#">Calvary Baptist Church</a>	Old Homer Alto Rd	Wells, TX	(409) 867-4391
<a href="#">Calvary Methodist Church</a>	Highway 69 N	Wells, TX	(409) 867-4525
<a href="#">First Baptist Church</a>	Highway 69 N	Wells, TX	(409) 867-4900
<a href="#">Forest Baptist Church</a>	Fm Rd 1911	Wells, TX	(409) 867-4554
<a href="#">James Nance Apostolic Church</a>	Fm Rd 2743	Wells, TX	(409) 867-4299
<a href="#">New Union Baptist Church</a>	Fm Rd 1247	Wells, TX	(409) 867-4011
<a href="#">New Union Church of God &amp; Christ</a>	Highway 69 N	Wells, TX	(409) 867-5658
<a href="#">Wells Church Baptist Church</a>	Rusk	Wells, TX	(409) 867-4522

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## Wells, TX

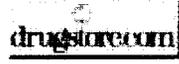
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Business Name	Address	City	Phone
Sturbridge Care A. Rebb...	2nd St & May St	Wells, TX	(409) 867-4707

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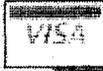
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Wells High School	Highway 69 N	Wells, TX	(409) 867-4400
Wells Independent School Dist	Highway 69 N	Wells, TX	(409) 867-4466

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**Superintendent**

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[School Calendar](#)  
[\(1999 - 2000\)](#)

[Vision](#)

**Student Body**

**Elementary School**

**Faculty**

**Mission Statement**

**Administration**

**Facilities**

**Wells, Texas is located on Highway 69, 20 miles north of Lufkin, and 13 miles of Alto.**

11/11/00 TIF

7/1/98 7/1/97 7/1/96 7/1/95 7/1/94

Wells town, TX

802 793 792 774 764

## City State / ZIP Code Associations

To find the ZIP Code for a mailing address, check out our

wells tx

Process

### WELLS TX

is associated with the following ZIP Codes:	For these ZIP Codes, the city name is:	ZIP Code Type
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## CERTIFICATE OF SERVICE

I, Joyce H. Crockett, a secretary in the law firm of Shook, Hardy and Bacon, do hereby certify that I have on this 31 day of May, 2000 caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**PETITION FOR RULE MAKING**" to the following:

\* Ms. Kathleen Scheuerle  
Federal Communications Commission  
Mass Media Bureau  
445 12th Street, SW  
Room 3-A247  
Washington, DC 20554

  
Joyce H. Crockett

\* HAND DELIVERED