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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In The Matter Of	)	
	)	MM Docket No. _____
Amendment of Section 73.622	)	
Table of Allotments	)	RM No. _____
Television Broadcast Stations	)	
(Bartlett, Tennessee)	)	

To: Chief, Allocations Branch

AMENDMENT TO PETITION FOR RULE MAKING

Fant Broadcast Development, L.L.C. ("Fant"), by its attorneys, hereby amends its pending petition for rule making for a new television allotment for Bartlett, Tennessee by substituting DTV channel 59 for NTSC channel 68 requested in Fant's original petition. Thus, Fant proposes to amend Section 73.622 of the Commission's rules as follows:

	Channel No.	
City	Present	Proposed
Bartlett, TN	--	59

I. Background

Fant is filing this amendment to its petition for rule making pursuant to the Commission's Public Notice, 14 FCC Rcd 19559 (1999) ("Window Notice") announcing the opening of a window for the filing of, among other things, amendments to pending petitions for rule making that had sought to amend the TV Table of Allotments to add a new NTSC television allotment.

Fant filed its original petition for rule making to allot NTSC channel 68 to Bartlett, TN on July 22, 1996. Fant had sought allotment of NTSC channel 68 for Bartlett's first local television

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service. The Commission cannot go forward with that proposal because the Commission has reallocated channels 60 to 69 to non-broadcast services. As a result, under the Window Notice, Fant was afforded the opportunity to amend its pending petition for rule making to specify a new channel.[1]

Fant has identified digital channel 59 for an allotment to Bartlett, TN. Consistent with the Window Notice, this proposal should be evaluated under the criteria for changing an initial DTV allotment (that is, it may be in the range of channels 2-59) and NTSC channels must be protected by meeting the engineering criteria of Section 73.623(c) of the Commission's rules. The attached Engineering Statement of Pete E. Myrl Warren III of WES, Inc. shows that the proposed allotment protects NTSC channels under 73.623(c).[2] The Engineering Statement also shows that the proposed allocation meets the minimum distance separation requirments for adding a DTV allotment in Section 73.623(d) of the Commission's rules. The Engineering Statement shows that two DTV allotments, channels 59 at Huntsville, AL and 59 at Evansville, would receive .07% and .02% interference respectively from the Bartlett allotment. This interference to 653 and 73 people respectively is less than .5% in each instance, is within

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[1]On July 22, 1996, Fant also filed an application for a construction permit for a new television station on channel 68 at Bartlett, TN. Consistent with the Window Notice, Fant will amend this application to specify digital channel 59 as directed in an allotment Report and Order adopting the proposal set forth herein.

[2]The Engineering Statement shows that Fant has proposed co-locating with at least two of the applicants for non-commercial channel 56 at Memphis, TN, but the proposed Bartlett allotment would not cause or receive any interference to or from the Memphis allotment. Thus, the requirements of Section 73.623(c) have been met. See Engineering Statement.

rounding error, and thus is not considered. See Establishment of a Class A Television Service, FCC 00-115, 2000 FCC Lexis 1746, *93 (March 28, 2000).

As set forth in the Engineering Statement, Fant has reasonable assurance for use of the site set forth in the Engineering Statement. Because that site is available for use for the proposed allocation, the coordinates for the site should be the reference coordinates for the allotment under Section 73.622(d)(2). With those reference coordinates, Fant's amended proposal set forth herein meets the Commission's applicable technical criteria.

II. The Public Interest Compels Grant of This Petition

Fant seeks to change its proposal for a new allotment to Bartlett, TN, consistent with the Window Notice so that a first local commercial television service can be brought there. As Fant explained in its original petition for rule making filed on July 22, 1996, Bartlett does not now have a local television service. Bartlett is an incorporated community with a 1990 census population of 26,989. Allotment of digital channel 59 will promote the objectives of Section 307(b) of the Communications Act of providing a fair, efficient, and equitable distribution of television broadcast stations among the various states and communities. See National Broadcasting Co. v. U.S., 319 U.S. 190, 217 (1943) (describing goal of Communications Act to "secure the maximum benefits of radio to all the people of the United States"); FCC v. Allentown Broadcasting Co., 349 U.S. 358, 359-62 (1955)(describing goal of Section 307(b) to "secure local means of expression"). As with Fant's original proposal, a grant of this amendment would promote the second allotment priority set forth in the Sixth Report and Order in Docket Nos. 8736 and 8975, 41 FCC 148,167 (1952) of providing each community with at least one television station.

In addition, grant of Fant's petition will foster the emergence of a new national television network by establishing an outlet in a top 100 television market (Memphis, TN) within which a new network, the WB Television Network ("WB"), has indicated a willingness to enter into an affiliation agreement with Fant for the station if this amended petition is granted and Fant's application is granted. The WB needs new allotments, such as the one proposed here by Fant, if the WB is to become a strong competitive alternative to the four major television networks in all of the top 100 markets.

In the past, the Commission has relied on these public interest objectives in making new allotments. In Docket No. 13340, Interim Policy on VHF Television Channel Assignments, 21 RR 1695 (1961), recon. denied, 21 RR 1710a (1961) ("Interim Policy"), the Commission instituted a rule making proceeding in an effort to find a means of alleviating the need for additional channel assignments in the larger television markets in order to foster the development of a nationwide competitive television system.

The Commission concluded that the most efficient means of accomplishing its objective would be to permit, under limited circumstances, channel assignments at substandard spacings. The short-spaced allotments were authorized subject to the requirement that the new stations provide protection to the existing short-spaced stations to assure that they would not receive interference in excess of the amount they otherwise would receive from a co-channel station operating with maximum facilities at full distance separation. The Commission designated ten markets in which such a "squeeze in" procedure would be considered. Many of these proposals, as well as those which arose out of the Commission's Interim Policy, involved a third commercial VHF allotment in a market that was designed to provide an additional broadcast

outlet which was critical to the establishment of a third competitive network. See, e.g., Grand Rapids, Michigan, 21 RR 1737 (1961) (Commission assigned a second VHF channel to Grand Rapids and a third to the Grand Rapids-Kalamazoo market),[3] Rochester, New York, 21 RR 1748a (1961)(same).

Similarly, in the VHF Drop-In Proceeding, 81 FCC 2d 233 (1980), the Commission granted requests for waiver of Section §73.610 to permit the allotment of new short-spaced VHF assignments to Charleston, West Virginia; Johnstown, Pennsylvania; Salt Lake City, Utah; and Knoxville, Tennessee. Each short-spaced allotment was subject to the condition that the new station provide equivalent protection to the existing station to which it was short–spaced. Id. at 234.

In granting the waiver requests, the Commission recognized that the four VHF drop-ins represented a significant departure from Commission precedent.[4] Nevertheless, the Commission concluded that the new VHF allotments would serve important public interest objectives such as providing new local service, the promotion of additional networks, and increased competition in advertising markets. The Commission found these to be substantial contributions to the public interest. Id. at 253. Moreover, on reconsideration, the Commission observed that application of the distance separation rules would achieve a result contrary to the public interest by preventing

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[3] In Grand Rapids, the Commission allotted Channel 13 to Grand Rapids, which required the substitution of Channel 9 for Channel 13 at Cadillac, Michigan, and the substitution of channel 7 for a Channel 9 allotment at Alpena, Michigan. Id. at 1745. The Commission's action was designed to alleviate the "critical shortage of competitively comparable facilities in major markets. . . ." 21 RR at 1745.

[4] Despite the Commission's Interim Policy, there had been no short-spaced VHF allotments in the continental United States prior to its decision in VHF Top 100 Markets. 81 FCC 2d at 239.

new and needed television services, and that a waiver of the rules would not undermine the policy behind them as set forth in the Sixth Report and Order, 41 FCC 148 (1952) .

The public interest benefits that would result from a grant of Fant's amended proposal are the same public interest objectives which the Commission sought to foster in the VHF Drop-In Proceedings and the Interim Policy, and yet unlike as in those proceedings, no waiver of the Commission's rules is required in order to grant Fant's amended proposal here. The public interest fully supports a grant of Fant's amended proposal.

III. Conclusion

Wherefore, Fant Broadcast Development, L.L.C. respectfully requests that as proposed in this amendment to Fant's original petition for rule making, the Commission initiate a rule making proceeding to amend Section 73.622(b) of its rules, the DTV Table of Allotments to add an allotment for digital channel 59 for Bartlett, TN.

Respectfully submitted,

By: _____

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(202) 828-0155

Dated: July 14, 2000

WES, INC.
6200 Valeria Ln.
El Paso, TX 79912

505-589-2224

ENGINEERING EXHIBIT
PETITION TO MODIFY THE TABLE OF ALLOTMENTS TO SPECIFY A DISPLACEMENT CHANNEL TO SUBSTITUTE FOR BARTLETT, TN CHANNEL 68

July 10, 2000

ENGINEERING STATEMENT

Wes, Inc.

DECLARATION

I, Pete E Myrl Warren, III, declare and state that I am a Certified Broadcast Engineer, by the National Association of Radio and Television Engineers, and my qualifications are a matter of record with the Federal Communications Commission, and that I am an engineer in the firm of Wes, Inc., and that the firm has been retained to prepare an engineering statement on behalf of Fant Broadcasting, L.L.C.

All facts contained herein are true to my knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. All Exhibits were prepared by me or under my supervision. I declare under penalty of perjury that the foregoing is true and correct.

Pete E Myrl Warren, III

Executed on the 10th day of July, 2000

Narrative Statement

I. GENERAL

This engineering report has been prepared on behalf of Broadcasting Company, Inc. in support of its request for a displacement channel (Digital Channel 59) for its pending application for Channel 68 in Bartlett, Tennessee.

II. ENGINEERING DISCUSSION

The applicant originally applied for a construction permit for channel 68 in Bartlett, TN The applicant is precluded from going on channel 68 due to the FCC mandated elimination of television channels 60 through 69.

The applicant proposes the following site:

North Latitude: 35° 12' 41"
West Longitude: 89° 48' 54"

It is proposed to amend Section 73.622(b) of the Commission's rules, Digital Television Table of Allotments, to allot Channel 59 (740-746 MHz) for the Digital television operation of Fant Broadcasting Development, L.L.C. As demonstrated below, the proposed Channel 59 DTV operation at Bartlett, TN, will not cause any harmful interference to any other analog NTSC or DTV station or allotments exceeding the Commission's guidelines. Bartlett, TN Channel 59 would provide additional service to a population of 1,296,753 people.

The proposed NTSC Channel 59 has site availability and can operate from the proposed antenna site at one megawatt omni-directional without adversely impact any other TV operations. The proposed Channel 59 would serve all of Bartlett, Tennessee within its digital service contour.

Analog NTSC TV Allocation Situation

The attached Exhibit RM-2 demonstrates that Channel 59, Bartlett, Tennessee**, is free of any short-spacings to any other licensed NTSC stations**. The applicant will operate on a third adjacent channel to six applicants for Memphis, Tennessee channel 56. The applicant proposes co-locating with at least two of the applicants for Memphis 56. Nevertheless, Bartlett, Tennessee will not cause any interference to Memphis, Tennessee, Channel 56 and will not receive any interference from Memphis Channel 56. A complete demonstration of non-interference to all of the Memphis, TN applications was done using the Commission's own Fortran Longley Rice Program; see exhibits FLR-4 through FLR-10. Moreover, the Commission has made it a habit of allocating digital channels 3 channels above full power NTSC channels without regard to distance separation, and any interference to a lower third adjacent NTSC occurs in a very small area around the digital station's tower where the digital channel is more than 34dB stronger than the NTSC channel.

Class A Situation

The applicant does not cause any interference to any Class A Stations. The attached FLR-3 demonstrates no interference to W44BS in Memphis, TN.

DTV Allocation Situation

There are two digital stations that required further study to determine whether or not they would cause or receive interference from the proposed channel 59 in Bartlett, Tennessee as outlined in exhibit RM-1. The attached exhibit FLR-1 demonstrates that Huntsville, Alabama digital channel 59 will receive 653 (0.07%) people of interference from Bartlett, Tennessee. The interference accepted by Huntsville, Alabama is less than 0.5% and is therefore considered negligible and acceptable. The attached exhibit FLR-2 demonstrates that Evansville, Indiana, digital channel 59 will receive 73 (0.02%) people of interference from Bartlett, Tennessee. The interference accepted by Bartlett, Tennessee is less than 0.5% and is therefore considered negligible and acceptable.

III. Summary

The applicant must change channel from Channel 68 in Bartlett, Tennessee, to digital channel 59, because of the FCC mandated elimination of television channels 60 through 69. On channel 59, Bartlett is clear of all interference above the FCC's guidelines to all NTSC, Digital and Class A stations.

Exhibit RM-1
Bartlett, TN
July 10, 2000

DTV to DTV spacing Study
by WES, Inc. Broadcast Consultants

Digital to Digital Spacing Study

Study Location:
Bartlett, TN Channel 59

DTV Study Station, Transmitter Coordinates: 35-12-41 N 89-48-54 W

Study distance: 429 km

DTV TO DTV STUDY RESULTS

City of License	ST	Chan	Bearing	Distance	Req.Dist	Diff.
Huntsville	AL	59	99.92	304.33	223.70	80.63
Evansville	IN	59	34.34	356.71	223.70	133.01

Station is in the clear!

Exhibit RM-2
Bartlett, TN
July 10, 2000

DTV to NTSC spacing Study
by WES, Inc. Broadcast Consultants

****** TV CHANNEL SPACING STUDY ******

Job title: Bartlett
Channel: 59
Database file name: tv000117.edx

Latitude: 35 12 41
Longitude: 89 48 54

CH	Call	Record No.	City	ST	Z	STS	Bear.	Dist.	Reqd. Dist.	Result
56o	NEW	5115	MEMPHIS	TN	2	A	185.4	6.4	<24.1	17.7
56o	NEW	5116	MEMPHIS	TN	2	A	185.9	6.3	<24.1	17.8
56o	NEW	5117	MEMPHIS	TN	2	A	.0	.0	<24.1	24.1
56o	NEW	5118	MEMPHIS	TN	2	A	.0	.0	<24.1	24.1
56o	NEW	5385	MEMPHIS	TN	2	A	310.0	44.4	<24.1	-20.3
56o	NEW	5386	MEMPHIS	TN	2	A	310.0	44.4	<24.1	-20.3

****** End of channel 59 study ******

Exhibit FLR-1
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study not including Bartlett, TN Channel 59

```
Run begins Mon Jul 10 14:19:22 2000, host providence
Analysis of: 59A AL HUNTSVILLE
   HAAT  517.0 m, ATV ERP  200.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1043492      29839.1
   not affected by terrain losses    968160      27554.3
   lost to NTSC IX                    10399        217.2
   lost to additional IX by ATV        2971         56.3
   lost to ATV IX only                 4312         88.5
   lost to all IX                     13370        273.5

Finished Mon Jul 10 14:22:56; run time    0:03:23
     13781 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN Channel 59 added at 1,000 kW omni-directional:

```
Run begins Mon Jul 10 14:10:42 2000, host providence
Analysis of: 59A AL HUNTSVILLE
   HAAT  517.0 m, ATV ERP  200.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1043492      29839.1
   not affected by terrain losses    968160      27554.3
   lost to NTSC IX                    10399        217.2
   lost to additional IX by ATV        3624        104.6
   lost to ATV IX only                 6571        148.8
   lost to all IX                     14023        321.8

Finished Mon Jul 10 14:15:56; run time    0:04:49
     16581 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-2
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study not including Bartlett, TN Channel 59:

```
Run begins Mon Jul 10 14:37:03 2000, host providence
Analysis of: 59A IN EVANSVILLE
   HAAT  301.0 m, ATV ERP   59.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour      581483      16893.8
   not affected by terrain losses    581137      16849.7
   lost to NTSC IX                     1101         16.0
   lost to additional IX by ATV           0          4.0
   lost to ATV IX only                    0          4.0
   lost to all IX                      1101         20.1

Finished Mon Jul 10 14:41:19; run time    0:03:59
     10748 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN included at 1,000 kW omni-directional:

```
Run begins Mon Jul 10 14:44:26 2000, host providence
Analysis of: 59A IN EVANSVILLE
   HAAT  301.0 m, ATV ERP   59.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour      581483      16893.8
   not affected by terrain losses    581137      16849.7
   lost to NTSC IX                     1101         16.0
   lost to additional IX by ATV          73         12.0
   lost to ATV IX only                   73         12.0
   lost to all IX                      1174         28.1

Finished Mon Jul 10 14:48:38; run time    0:03:58
     10937 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-3
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study not including Bartlett, TN Channel 59

```
Run begins Mon Jul 10 11:59:46 2000, host providence
Analysis of: 44N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour      644614       1096.6
   not affected by terrain losses    644614       1096.6
   lost to NTSC IX                        0          0.0
   lost to additional IX by ATV           0          0.0
   lost to all IX                         0          0.0

Finished Mon Jul 10 12:00:35; run time    0:00:40
       870 calls to Longley-Rice; path distance increment  1.00 km
```

Study including Bartlett, TN Channel 59 at 1,000 kW omni-directional:

```
Run begins Mon Jul 10 12:35:26 2000, host providence
Analysis of: 44N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour      644614       1096.6
   not affected by terrain losses    644614       1096.6
   lost to NTSC IX                        0          0.0
   lost to additional IX by ATV           0          0.0
   lost to all IX                         0          0.0

Finished Mon Jul 10 12:36:09; run time    0:00:39
      1102 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-4
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study run with Bartlett, TN Channel 59 at 1,000 kW

```
Run begins Mon Jul 10 16:20:33 2000, host providence
Analysis of: 59A TN BARTLETT
   HAAT  296.0 m, ATV ERP 1000.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1305412      26826.6
   not affected by terrain losses   1296753      26606.7
   lost to NTSC IX                        0          0.0
   lost to additional IX by ATV         394         44.0
   lost to ATV IX only                  394         44.0
   lost to all IX                       394         44.0

Finished Mon Jul 10 16:23:56; run time    0:03:10
     10167 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-5
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Interference Study to Memphis, TN Channel 56 (BPET961213KH)

Study not including Bartlett, TN:

```
Run begins Mon Jul 10 20:08:10 2000, host providence
Analysis of: 56N TN MEMPHIS
                                POPULATION   AREA (sq km)
   within Noise Limited Contour   1161264      19357.7
   not affected by terrain losses 1160706      19217.6
   lost to NTSC IX                      0          0.0
   lost to additional IX by ATV      6417        288.1
   lost to all IX                    6417        288.1

Finished Mon Jul 10 20:11:03; run time    0:02:41
     11515 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN added to the database:

```
Run begins Mon Jul 10 19:29:21 2000, host providence
Analysis of: 56N TN MEMPHIS
                                POPULATION   AREA (sq km)
   within Noise Limited Contour   1161264      19357.7
   not affected by terrain losses 1160706      19217.6
   lost to NTSC IX                      0          0.0
   lost to additional IX by ATV      6417        288.1
   lost to all IX                    6417        288.1

Finished Mon Jul 10 19:32:13; run time    0:02:43
     12474 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-6
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Interference Study to Memphis, TN Channel 56 (BPET961212KH)

Study not including Bartlett, TN:

```
Run begins Mon Jul 10 18:53:59 2000, host providence
Analysis of: 56N TN MEMPHIS
                                 POPULATION   AREA (sq km)
   within Noise Limited Contour    1115556      15539.8
   not affected by terrain losses  1115033      15455.7
   lost to NTSC IX                       0          0.0
   lost to additional IX by ATV       2662        108.1
   lost to all IX                     2662        108.1

Finished Mon Jul 10 18:56:14; run time    0:02:08
      9357 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN added to the database:

```
Run begins Mon Jul 10 18:49:07 2000, host providence
Analysis of: 56N TN MEMPHIS
                                 POPULATION   AREA (sq km)
   within Noise Limited Contour    1115556      15539.8
   not affected by terrain losses  1115033      15455.7
   lost to NTSC IX                       0          0.0
   lost to additional IX by ATV       2662        108.1
   lost to all IX                     2662        108.1

Finished Mon Jul 10 18:51:26; run time    0:02:11
     10309 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-7
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Interference Study to Memphis, TN Channel 56 (BPET961118KJ)

Study not including Bartlett, TN:

```
Run begins Mon Jul 10 18:36:04 2000, host providence
Analysis of: 56N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1098009      13569.6
   not affected by terrain losses   1098009      13561.6
   lost to NTSC IX                        0          0.0
   lost to additional IX by ATV        1358         28.0
   lost to all IX                      1358         28.0

Finished Mon Jul 10 18:38:11; run time    0:02:00
      8512 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN added to the database:

```
Run begins Mon Jul 10 18:43:17 2000, host providence
Analysis of: 56N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1098009      13569.6
   not affected by terrain losses   1098009      13561.6
   lost to NTSC IX                        0          0.0
   lost to additional IX by ATV        1358         28.0
   lost to all IX                      1358         28.0

Finished Mon Jul 10 18:45:27; run time    0:02:03
      9462 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-8
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Interference Study to Memphis, TN Channel 56 (BPET961211KE)

Study not including Bartlett, TN:

```
Run begins Mon Jul 10 18:31:27 2000, host providence
Analysis of: 56N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1027599       9532.5
   not affected by terrain losses   1027599       9524.5
   lost to NTSC IX                        0          0.0
   lost to additional IX by ATV         152         20.0
   lost to all IX                       152         20.0

Finished Mon Jul 10 18:33:03; run time    0:01:30
      6215 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN added to the database:

```
Run begins Mon Jul 10 18:28:02 2000, host providence
Analysis of: 56N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1027599       9532.5
   not affected by terrain losses   1027599       9524.5
   lost to NTSC IX                        0          0.0
   lost to additional IX by ATV         152         20.0
   lost to all IX                       152         20.0

Finished Mon Jul 10 18:29:42; run time    0:01:34
      7163 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-9
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Interference Study to Memphis, TN Channel 56 (BPET970331LE)

Study not including Bartlett, TN:

```
Run begins Mon Jul 10 18:16:35 2000, host providence
Analysis of: 56N TN MEMPHIS
                                POPULATION   AREA (sq km)
   within Noise Limited Contour   1143542      16450.3
   not affected by terrain losses 1142483      16405.9
   lost to NTSC IX                      0          0.0
   lost to additional IX by ATV     14309        379.4
   lost to all IX                   14309        379.4

Finished Mon Jul 10 18:19:47; run time    0:03:01
     11155 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN added to the database:

```
Run begins Mon Jul 10 18:21:52 2000, host providence
Analysis of: 56N TN MEMPHIS
                                POPULATION   AREA (sq km)
   within Noise Limited Contour   1143542      16450.3
   not affected by terrain losses 1142483      16405.9
   lost to NTSC IX                      0          0.0
   lost to additional IX by ATV     14309        379.4
   lost to all IX                   14309        379.4

Finished Mon Jul 10 18:25:12; run time    0:03:03
     11895 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-10
Bartlett, TN
July 10, 2000

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Interference Study to Memphis, TN Channel 56 (BPET961211KK)

Study not including Bartlett, TN:

```
Run begins Mon Jun 10 10:14:28 1998, host providence
Analysis of: 56N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1260553      20445.6
   not affected by terrain losses   1256085      20385.0
   lost to NTSC IX                      283          8.1
   lost to additional IX by ATV        4085        319.0
   lost to all IX                      4368        327.1

Finished Mon Jun 10 10:18:12; run time    0:03:31
     13471 calls to Longley-Rice; path distance increment  1.00 km
```

Study with Bartlett, TN added to the database:

```
Run begins Mon Jul 10 10:08:17 2000, host providence
Analysis of: 56N TN MEMPHIS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour     1260553      20445.6
   not affected by terrain losses   1256085      20385.0
   lost to NTSC IX                      283          8.1
   lost to additional IX by ATV        4085        319.0
   lost to all IX                      4368        327.1

Finished Mon Jul 10 10:12:21; run time    0:03:46
     14404 calls to Longley-Rice; path distance increment  1.00 km
```

CERTIFICATE OF SERVICE

I, Dean R. Brenner, do hereby certify that a true and correct copy of the foregoing "PETITION FOR RULE MAKING" was served by mail this 14th day of July 2000, to:

John Karousos
Federal Communications Commission
Room 2-C207
445 12th Street, S.W.
Washington, D.C. 20554

Roy Stewart
Federal Communications Commission
Room 2-C347
445 12th Street, S.W.
Washington, D.C. 20554

Barbara Kriesman
Federal Communications Commission
Room 2-A665
445 12th Street, S.W.
Washington, D.C. 20554

Keith Larson
Federal Communications Commission
Room 2-C420
445 12th Street, S.W.
Washington, D.C. 20554

Dean R. Brenner