

LAW OFFICES

SMITHWICK & BELENDIUK, P.C.

ORIGINAL

5028 WISCONSIN AVENUE, N.W.
SUITE 301
WASHINGTON, D.C. 20016
TELEPHONE (202) 363-4050
FACSIMILE (202) 363-4260
WWW.FCCWORLD.COM

DOCKET FILE COPY ORIGINAL

GARY S. SMITHWICK
ARTHUR V. BELENDIUK

COUNSEL

WILLIAM M. BARNARD
HENRY E. CRAWFORD
JAMES K. EDMUNDSON

July 20, 2000

BY HAND DELIVERY

RECEIVED

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
Portals II, TW-A325
445 Twelfth Street, S.W.
Washington, D.C. 20554

JUL 20 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re:

In the Matter of Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations Smiley, Texas
MM Docket No.:

Dear Ms. Salas:

Transmitted herewith on behalf of Smiley Community Radio Company are an original and four (4) copies of a "Petition for Rulemaking" as directed to the Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours,



Henry E. Crawford
Counsel for
Smiley Community Radio
Company

cc: The Allocations Branch

No. of Copies rec'd 014
List A B C D E

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
 WASHINGTON, D.C.

In the Matter of)	MM Docket No. _____
)	
Amendment of Section 73.202(b))	RM No. _____
Table of Allotments)	
FM Broadcast Stations)	
Smiley, Texas)	

To: The Allocations Branch
 Policy and Rules Division
 Mass Media Bureau

PETITION FOR RULEMAKING

Smiley Community Radio Company ("Smiley"), by counsel, hereby petitions the Federal Communications Commission for the initiation of a rulemaking proceeding to amend the FM Table of Allotments, Section 73.202 of the Commission's Rules, to assign FM Channel 280A to the community of Smiley, Texas, as follows:

City	Present	Proposed
Smiley, Texas	--	280A

1. As indicated in the attached Engineering Study (attached hereto as Exhibit 1), Channel 280A can be assigned to Smiley in complete compliance with the Commission's distance separation requirements as contained in 47 CFR §73.207. The reference coordinates: 29-13-34 N 97-35-18 W will show the 70dbu (city grade contour) entirely encompassing the city of Smiley, Texas. Moreover, there is a wide area available for placing an appropriate transmitter.

2. Smiley is designated in the 1990 census as a city located in Gonzales County, Texas. Smiley has a 1990 census population of 463 persons. Smiley has its own post office and zip code. It has several places of worship including the Smiley United Methodist Church, Efeso Baptist Church and the Country Baptist Church. Smiley has its own middle school and library. Additionally, Smiley has a number of businesses and local institutions including, *inter alia*, Smiley Produce & Feed, the Smiley Grocery Store, the Smiley One Stop, Smiley Disposal, Smiley Housing Authority and the Smiley City Offices.

3. Therefore, the public interest will be served by the assignment of Channel 280A to Smiley, Texas.

4. If the Commission assigns Channel 280A to Smiley, Texas, Smiley Community Radio Company will apply for a construction permit and will construct a new facility upon award of that permit.

WHEREFORE, in accordance with the above, Smiley Community Radio Company respectfully requests that Channel 280A be assigned to Smiley, Texas.

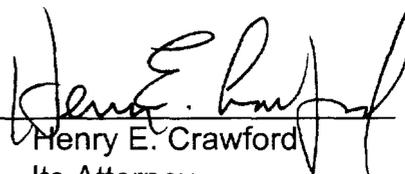
July 20, 2000

Smithwick & Belendiuk, P.C.

5028 Wisconsin Avenue, N.W.
Suite 301
Washington, D.C. 20016
(202) 363-4050
E-Mail: hc@HenryCrawfordLaw.com
Web: <http://www.HenryCrawfordLaw.com>

Respectfully Submitted,

Smiley Community Radio
Company

By: 
Henry E. Crawford
Its Attorney

Smilfey Community Radio Company
Petition for Rulemaking
July 20, 2000

EXHIBIT 1

Smiley Community Radio Company

FM Channel 280A Study
N29-13-34
W97-35-18

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEAR
ALC	San Marcos	TX	278	C	U	95.1	95.0	342.7°	0.0
KEYIFM	San Marcos	TX	278	C	L	95.1	95.0	342.7°	0.0
ALC	Sinton	TX	279	C1	U	132.9	133.0	173.6°	-0.1
KOUL	Sinton	TX	279	C1	L	132.9	133.0	173.6°	-0.1
ALC	Cameron	TX	280	C2	U	181.7	166.0	21.2°	15.7
ALC	Pearsall	TX	281	C1	A	132.7	133.0	246.5°	-0.3
ALC	San Antonio	TX	283	C1	U	89.7	75.0	283.8°	14.7
KZEPFM	San Antonio	TX	283	C1	L	89.7	75.0	283.8°	14.7

All Distances in Kilometers

Smiley, Texas is located at N29-16-17, W97-38-15. Allotment site is 8.4 kilometers southeast of the city.

1990 US Census Data
Database: C90STF1A
Summary Level: State--Place

Smiley city: FIPS.STATE=48, FIPS.PLACE90=68300

PERSONS

Universe: Persons

Total.....463
