

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

In the Matter of: )  
)  
Amendment of Section 73.202(b), ) MM Docket No. 00-69  
Table of Allotments, ) RM - 9850  
FM Broadcast Stations, )  
(Cheboygan and )  
Rogers City, Michigan )

**RECEIVED**

JUL 27 2000

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

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**SUPPLEMENTAL REPLY COMMENTS  
OF  
TODD STUART NOORDYK**

Todd Stuart Noordyk ("Noordyk"), by Counsel, pursuant to the *Notice of Proposed Rule Making and Order to Show Cause (DA 00-916, released April 25, 2000) ("NPRM")*, hereby supplements the Reply Comments that Noordyk previously submitted in this proceeding on June 30, 2000. In support hereof, Noordyk submits the following:

1. By way of brief summary, in response to both the NPRM and a counterproposal filed by D&B Broadcasting, LLC, Noordyk submitted Reply Comments merely to state that, should the Commission find merit with D&B's counterproposal, Noordyk would prefer the substitution of Channel 241A for 260A at Manistique, not the substitution of Channel 265A for 260A.<sup>1</sup>

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<sup>1</sup> Noordyk is the proposed new Permittee for Channel 260A at Manistique, Michigan by virtue of Broadcast Auction No. 25. See, *BPH-970922ME (Facility ID No. 88444); FCC Letter Ruling 1800B3-TSN (dated May 5, 2000)*.

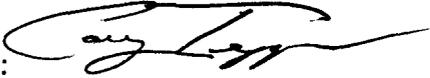
2. Upon further reflection of these matters, Noordyk has determined that Channel 234A can be used as an alternative Channel at Manistique, Michigan. If in this proceeding the Commission orders any changes to the Manistique FM allotment, Noordyk prefers that Channel 234A be substituted for Channel 260A.

3. Attached hereto is the Technical Statement of Graham Brock, Inc., wherein it is demonstrated that Channel 234A can be allotted to Manistique at site reference coordinates North Latitude 45 - 57 - 51 and West Longitude 86 - 16 - 37. At this location, Channel 234A would provide the requisite city-grade contour coverage of the Manistique community, and fully protect all existing, applied for or proposed facilities of Radio Station WCMM-FM at Gulliver, Michigan.

WHEREFORE, the above premises considered, Noordyk respectfully requests the substitution of Channel 234A for Channel 260A at Manistique, Michigan should the Commission decide to accept D&B's counterproposal in this proceeding.

Respectfully submitted,

**TODD STUART NOORDYK**

By:   
Cary S. Tepper

His Attorney

**Booth, Freret, Imlay & Tepper, P.C.**  
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July 27, 2000

**Technical Statement  
of  
Graham Brock, Inc.**

**SUPPLEMENT TO COMMENTS**  
**TODD STUART NOORDYK**  
**MM DOCKET #00-96**  
**CHEBOYGAN AND ROGERS CITY, MICHIGAN**  
**July 2000**

**TECHNICAL STATEMENT**

1. This Technical Statement and attachments were prepared on behalf of Todd Stuart Noordyk ("Noordyk"), proposed permittee of a new FM station on Channel 260A at Manistique, Michigan.<sup>1</sup> In comments in MM Docket #00-96, the request was made to substitute Channel 265A for Channel 260A at Manistique. During the reply comments period, Noordyk requested that in lieu of the proposed Channel 265A, Channel 241A be substituted for Channel 260A. It has recently come to Noordyk's attention that there is a channel available that can be utilized at the existing construction permit site for Channel 260A and, therefore, no change of sites would be required.

**DISCUSSION**

2. Noordyk herein requests that Channel 234A be used as an alternative channel at Manistique, Michigan, and that he be allowed to modify his proposed construction permit from Channel 260A to Channel 234A at Manistique, Michigan. As denoted on Exhibit #1, Channel 234A, at geographic coordinates North Latitude 45° 57' 51" and West Longitude 86° 16' 37", meets the Commission's minimum distance separation requirements to all existing, applied for or proposed facilities with the exception of the licensed facilities of WCMM, Channel 234C1, Gulliver, Michigan. However, in MM Docket #99-145, WCMM was ordered to change to Channel 273C1. As such, this facility would not impact the potential for

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1) Noordyk was awarded the channel in Broadcast Auction #25 held September 25, 1999, FM MX Group #63, Facility Identification #88444, but the construction permit has not yet been issued.

substituting Channel 234A for Channel 260A as requested by Noordyk. From the proposed reference site, which is the site authorized in Noordyk's outstanding construction permit, a 3.16 mV/m contour would be delivered to all of Manistique, Michigan.

3. Therefore, Noordyk requests the following amendment to §73.202 of the Commission's rules and regulations:

**Manistique, Michigan**

<u>Present</u>	<u>Proposed</u>
260A	234A

4. Once the Commission substitutes Channel 234A for Channel 260A at Manistique, Michigan, Noordyk will file an application specifying operation on that channel. Upon a grant of the construction permit, Noordyk will expeditiously construct the new FM facility at Manistique.

5. The foregoing was prepared on behalf of Todd Stuart Noordyk by Graham Brock, Inc., his Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data related to FM facilities was extracted from the CDBS database as updated on July 20, 2000. We assume no liability for errors or omissions in that database which may be adverse to the requests contained herein.

**SUPPLEMENT TO COMMENTS**  
**TODD STUART NOORDYK**  
**MM DOCKET #00-96**  
**CHEBOYGAN AND ROGERS CITY, MICHIGAN**  
**July 2000**

**EXHIBIT #1**

ALLOCATION STUDY FOR MANISTIQUE, MICHIGAN  
USING PRESENT NOORDYK SITE AS REFERENCE

REFERENCE		DISPLAY DATES
45 57 51 N	CLASS A	DATA 07-20-00
86 16 37 W	Current rules spacings	SEARCH 07-24-00
----- CHANNEL 234 - 94.7 MHZ -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD234	234A	Manistique	MI	0.0	0.00	115.0	-115.00
AD	45 57 51	86 16 37	0.000 kW	0M	0.0	71.5	
Todd Stuart Noordyk							
* WCOMM	234C1	Gulliver	MI	271.2	16.39	200.0	-183.61
LIC CN	45 58 01	86 29 18	100.000 kW	248M	10.2	124.3	
Lakes Radio, Inc. BLH-19920228KC							
>to Channel 273C1 per MM Docket #99-145							
WLJZ.A	233C2	Mackinaw City	MI	104.0	131.85	106.0	25.85
APP CX	45 40 00	84 38 05	40.000 kW	116M	81.9	65.9	
North Star Broadcasting, L.L.C. BPH-20000310ACJ							
AVAC	233C2	Mackinaw City	MI	98.2	146.30	106.0	40.30
VAC	45 45 40	84 24 56	0.000 kW	0M	90.9	65.9	
North Star Broadcasting, L.L.C.							
WLJZ	233C3	Mackinaw City	MI	104.0	131.81	89.0	42.81
LIC CN	45 40 02	84 38 06	18.500 kW	116M	81.9	55.3	
North Star Broadcasting, L.L.C. BLH-19950920KE							
WGKL.C	288C3	Gladstone	MI	255.9	71.62	12.0	59.62
CP CN	45 48 17	87 10 15	10.000 kW	115M	44.5	7.5	
Lakes Radio, Inc. BPH-19980817II							
WGKL	288A	Gladstone	MI	255.9	71.62	10.0	61.62
LIC C	45 48 17	87 10 15	4.600 kW	115M	44.5	6.2	
Lakes Radio, Inc. BLH-19990302KC							
RADD	234C3	Mishicot	WI	211.3	205.13	142.0	63.13
ADD	44 22 48	87 36 58	0.000 kW	0M	127.5	88.3	
RM-9336							
WLST	236C1	Marinette	WI	227.5	147.16	75.0	72.16
LIC CN	45 03 48	87 39 26	100.000 kW	133M	91.5	46.6	
Badger Communications L.L.C. BLH-19931206KB							
WZOR.A	234C3	Mishicot	WI	213.8	215.87	142.0	73.87
APPZCX	44 20 30	87 47 10	25.000 kW	100M	134.2	88.3	
Woodward Communications, Inc. BPH-20000428AAU							
WUPK	231A	Marquette	MI	304.0	110.94	31.0	79.94
LIC CN	46 30 52	87 28 37	4.500 kW	115M	68.9	19.3	
Marathon Media Of Michigan BLH-19920515KA							

\* Note: Ordered to Channel 273C1 per MM Docket 99-145.

**AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT**

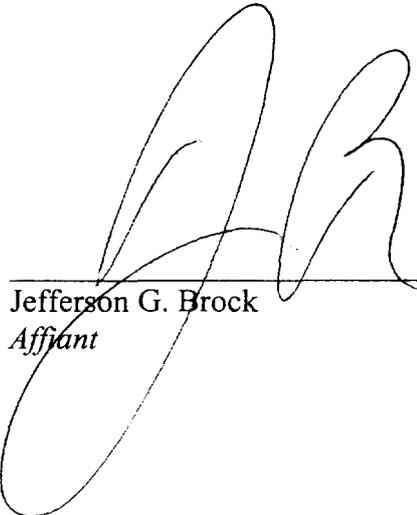
State of Georgia )  
St. Simons Island ) ss:  
County of Glynn )

**JEFFERSON G. BROCK**, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Todd Stuart Noordyk 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 24th day of July, 2000.*



Jefferson G. Brock  
*Affiant*

*Sworn to and subscribed before me  
this the 24th day of July, 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 27th day of July, 2000, have served a copy of the foregoing "**Supplemental Reply Comments of Todd Stuart Noordyk**" 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

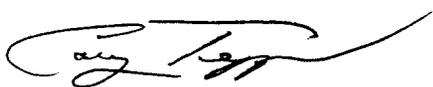
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Radio Station WKLA  
215 Harbor Drive  
Ludington, MI 49431



Cary S. Tepper, Esq.

\*/ indicates delivery by hand