

*Imaging Center  
C4 Level*



Federal Communications Commission  
Washington, D.C. 20554

November 6, 2000

2000 11-09 P 3:20

David Tillotson  
4606 Charleston Terrace, N.W.  
Washington, DC 20007

Dear Mr. Tillotson:

This is in response to the petition for rulemaking you filed on behalf of Chester P. Coleman, licensee of Station KADX, Houston, Alaska. Your petition proposes the substitution of Channel 234C1 for Channel 234C2 at Houston, the modification of Station KADX's license to specify operation on Channel 234C1, the related substitution of Channel 286C1 for Channel 287C1 at Anchorage, and the modification of the license of Station KINK at Anchorage to specify operation on Channel 286C1.

Your request is procedurally defective and unacceptable for consideration at this time. Section 1.401(d) of the Commission's Rules requires that all petitions for rulemaking proposing to amend the FM Table of Allotments shall be served by the petitioner on any Commission licensee or permittee whose channel assignment would be changed by grant of the petition. That section of the rules also requires that the petition be accompanied by a certificate of service on such licensees and permittees. Your petition proposes the amendment of the channel assignment of Station KINK in Anchorage, but you have not indicated that you served Station KINK's licensee with a copy of your petition for rulemaking, nor have you included a certificate of service as part of your petition.

For this reason, we are returning your petition for rulemaking. If you wish to resubmit it, you may do so in accordance with Commission rules.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos", written over a large, stylized flourish.

John A. Karousos  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

Enclosure

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.**

In Re )  
 )  
Amendment of Section 73.202(b) ) MM Docket \_\_\_\_\_  
Table of Allotments, ) RM- \_\_\_\_\_  
FM Broadcast Stations )  
Houston and Anchorage, Alaska )

To: Chief, Policy and Rules Division

**PETITION FOR RULEMAKING**

Chester P. Coleman ("Coleman"), licensee of Station KADX(FM), Houston, Alaska, hereby petitions for amendment of Section 73.202(b) of the Commission's Rules to make the following changes in the FM Table of Allotments:

1. Substitute Channel 234C1 for Channel 234C2 at Houston, Alaska, and modify Station KADX's license to specify operation on Channel 234C1.

2. Substitute Channel 286C1 for Channel 287C1 at Anchorage, Alaska, to modify the license of Station KNIK(FM), which currently operates on Channel 287C1 to specify operation on Channel 286C1.

Attached hereto is an Engineering Statement which establishes that Channel 234C1 can be assigned for use at Houston, Alaska, at the present transmitter site of Station KADX in compliance with the Commission's channel separation rules provided that Channel 286C1 is substituted for Channel 287C1 at Anchorage. The Engineering Statement also establishes that Channel 286C1 can be used by Station KINK in lieu of Channel 287C1 at the present transmitter site of Station KINK.

The substitution of proposed upgrade of Station KADX from Class C2 to Class C1 which is the objective of this Petition will serve the public interest as it will result in Station KADX providing primary service to an area 7,859 km<sup>2</sup> larger than the current KADX primary service area with 2,123 inhabitants.

Coleman recognizes that if this Petition is granted he will be obligated to reimburse Station KINK for its reasonable costs of changing its channel of operation from Channel 287C1 To 286C1 to accommodate the KADX upgrade.

If this Petition is granted, Coleman will promptly file an application to implement the channel change and, upon grant of such application, will promptly increase KADX's power to the maximum for a Class C1 station.

Respectfully submitted,

David Tillotson  
4606 Charleston Terrace, N.W.  
Washington, DC 20007  
Tel: 202/625-6241

**Attorney for Chester P. Coleman**

Date: August 9, 2000

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## ENGINEERING STATEMENT

PETITION FOR RULEMAKING TO  
AMEND SECTION 73.202 OF THE RULES  
AND REGULATIONS FOR THE FEDERAL  
COMMUNICATIONS COMMISSION

TO SUBSTITUTE CHANNEL 234C1 FOR CHANNEL 234C2  
FOR USE AT HOUSTON, ALASKA

AND TO SUBSTITUTE CHANNEL 286C1 FOR CHANNEL 287C1  
FOR USE AT ANCHORAGE, ALASKA

CHESTER P. COLEMAN

8/2000

compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments, assuming that Channel 286C1 is substituted for Channel 287C1 at Anchorage.

#### **Anchorage Channel 286C1 Allocation Study**

As outlined in the attached channel study, Channel 286C1 can be substituted for Channel 287C1 at the present transmitter site of KNIK (NL 61° 11' 33" x WL 149° 54' 01"). Ubik Corporation is the licensee of KNIK.

It is noted that three applications have been filed for new LPFM stations on Channel 284 at Anchorage. Two of those applications were filed by the same entity, IMBP of Alaska, but at slightly different site coordinates. The third application was filed by the Organization for Northern Development d/b/a Out North. At the time of filing, these LPFM applications were on a third-adjacent channel to KNIK, and thus were not required to meet any spacing requirements with respect to KNIK. The proposed modification of KNIK to Channel 286C1, however, will move these translators onto a second-adjacent channel with respect to KNIK.

As is demonstrated by the attached contour map, all three Anchorage LPFM applications on Channel 284 propose transmitter sites which are located within the KNIK 70 dBu contour, and thus can be expected to cause second-adjacent channel interference within the KNIK 70 dBu contour once KNIK moves to Channel 286C1.

Paragraph 66 of the Report and Order in MM Docket No. 99-25 "In the Matter of Creation of Low Power Radio Service" states in part:

FM stations have a core responsibility to service their principal communities. Therefore, we will not permit an operating LPFM station to cause interference within a commercial or NCE FM station's 3.16 mV/m (70 dB) contour. This issue can only arise in connection with a subsequently filed full-service new station or modification application. If grant of such an application would result in predicted interference within the 3.16 mV/m (70 dBu) contour of the proposed station, the affected LPFM station will be provided an opportunity to demonstrate that interference is unlikely to occur within this contour due to, for example, terrain shielding. If the LPFM station fails to make a sufficient showing, it will be directed to cease operations upon the commencement of program tests by the commercial or NCE FM station.

Specific rules corresponding to Paragraph 66 of the Report and Order are codified in §73.809.

Based on a reading of these Rules, it is believed that it will be incumbent on the successful applicant (if any) for an LPFM station on Channel 284 at Anchorage to either correct any interference subsequently caused to KNIK (once that station commences program test on Channel 286C1), or cease operation altogether.

### **Gain and Loss Areas**

There are no gain or loss areas associated with the proposed channel substitution at Anchorage, since the new (and equivalent) Class C1 channel would be allotted at the coordinates of the existing KNIK operation.

Since it is proposed to allot Channel 234C1 at the present KADX site, there would be no loss area associated with the proposed channel substitution at Houston. There would, however, be a gain area. The present Channel 234C2 allotment provides 60 dBu service to 8,558 km<sup>2</sup>, encompassing 262,117 persons (1990 Census), whereas the proposed Channel 234C1

Hatfield & Dawson Consulting Engineers

allotment would provide 60 dBu service to 16,417 km<sup>2</sup>, encompassing 264,240 persons (1990 Census). This represents an increase of 7,859 km<sup>2</sup> and 2,123 persons.

### **No Canadian Concurrence Required**

Since neither Houston nor Anchorage is located within 320 kilometers of the US-Canadian border, concurrence of the Canadian government will not be required.

### **Certification**

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Houston and Anchorage, Alaska has been prepared on behalf of Chester P. Coleman. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 8<sup>th</sup> day of August, 2000.



Benjamin F. Dawson III, P.E.

## SEARCH PARAMETERS

Channel: 234  
 Class: C1  
 Latitude: 61 29 3  
 Longitude: 149 45 52  
 Safety Zone: 32 km  
 Job Title: KADX 234C1

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Call Status	City St	FCC File No.	Channel Freq.	ERP(kw) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
KADX LIC	HOUSTON AK	BLH-19990525	234C2 94.7	50.000 113.0	61-29- 3 149-45-52	0.0	0.00 -224.00	224 SHORT
KNIK-FM LIC	ANCHORAGE AK	BLH-19900507	287C1 105.3	51.000 78.0	61-11-33 149-54- 1	192.7	33.31 -0.69	34 SHORT

===== END OF FM SPACING STUDY FOR CHANNEL 234 =====

## SEARCH PARAMETERS

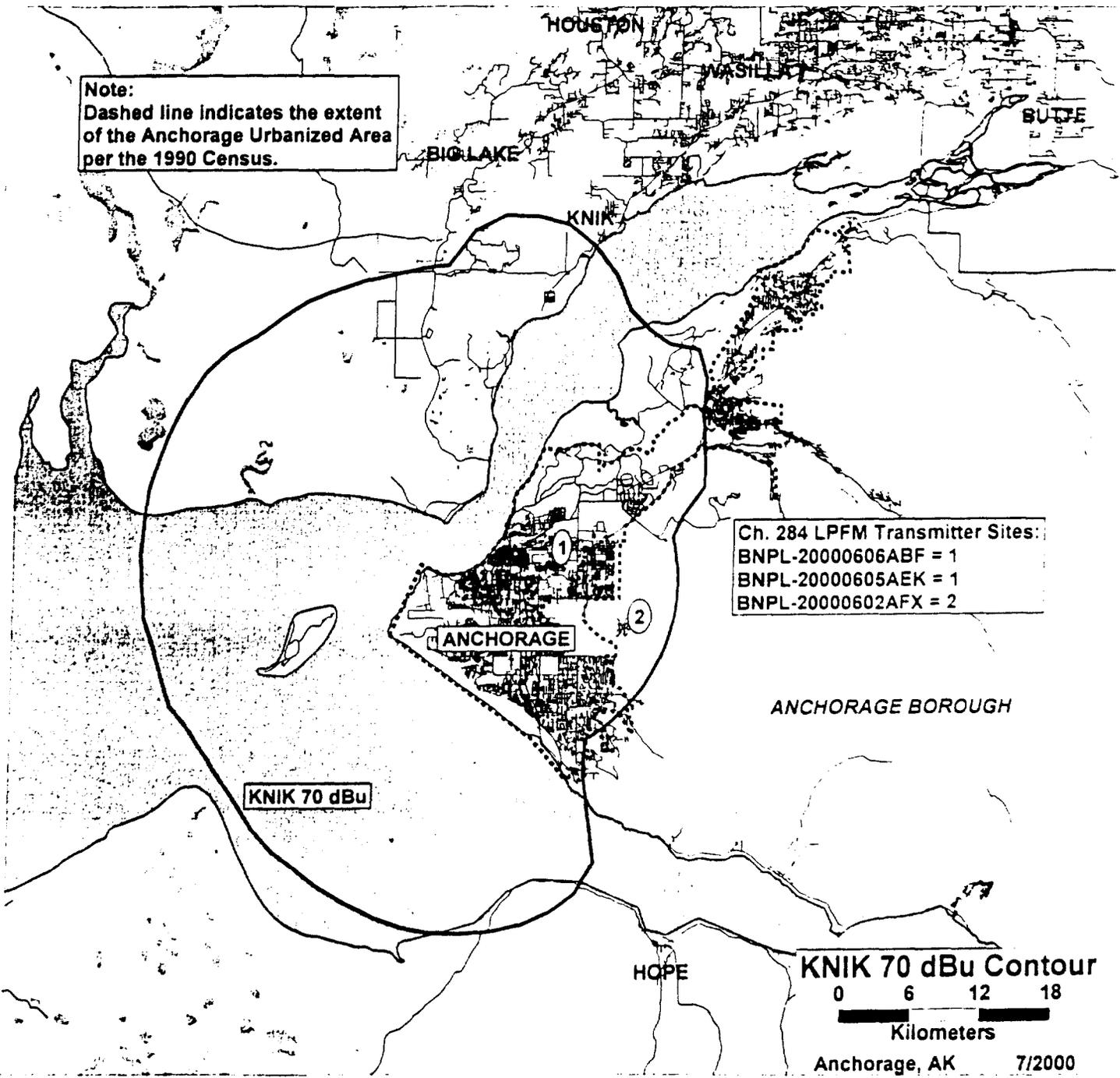
Channel: 286  
 Class: C1  
 Latitude: 61 11 33  
 Longitude: 149 54 1  
 Safety Zone: 32 km  
 Job Title: KNIK 286C1

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Call Status	City St	FCC File No.	Channel Freq.	ERP(kw) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
K283AB LIC	SOLDOTNA AK	BLFT-19920410	283D 104.5	0.260 DA 0.0	60-31-26 151- 4-51	221.2	98.32 0.00	0 TRANS
K285EF LIC	KENAI AK	BLFT-19920410	285D 104.9	0.250 DA 0.0	60-30-40 151-16-12	225.0	106.34 0.00	0 TRANS
K285EG LIC	SEWARD AK	BLFT-19930111	285D 104.9	0.250 DA 0.0	60- 7-32 149-25-50	167.6	121.63 0.00	0 TRANS
K285EG LIC	SEWARD AK	BLFT-19981022	285D 104.9	0.248 DA 0.0	60- 6-12 149-26-12	168.0	123.98 0.00	0 TRANS
KNIK-FM LIC	ANCHORAGE AK	BLH-19900507	287C1 105.3	51.000 78.0	61-11-33 149-54- 1	0.0	0.00 -177.00	177 SHORT

==== END OF FM SPACING STUDY FOR CHANNEL 286 ====

Note:  
Dashed line indicates the extent  
of the Anchorage Urbanized Area  
per the 1990 Census.



Ch. 284 LPFM Transmitter Sites:  
BNPL-20000606ABF = 1  
BNPL-20000605AEK = 1  
BNPL-20000602AFX = 2

KNIK 70 dBu

ANCHORAGE BOROUGH

HOPE

KNIK 70 dBu Contour

0 6 12 18

Kilometers

Anchorage, AK 7/2000