

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

RECEIVED
DEC 18 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
)
FM Broadcast Station)
Rio Rico, Arizona)

MM Docket No. 00-209 /
RM-9978

To: Chief, Allocations Branch

COMMENTS OF SANTA CRUZ BROADCASTING

Introduction

Santa Cruz Broadcasting ("Petitioner"), by its attorney, hereby submits its comments in response to the Notice of Proposed Rule Making ("Notice") in the above-captioned proceeding. In the Notice, the Commission proposed to amend the FM Table of Allotments (Section 73.202(b) of the Commission's Rules) by allotting Channel 300A to Rio Rico, Arizona, as that community's first local aural transmission service. In the Notice, the Commission also requested Petitioner to submit additional information to demonstrate that Rio Rico is a *bona fide* community for allotment purposes. The Notice was adopted in response to a Petition for Rule Making ("Petition") filed by Petitioner. The Petition is incorporated herein by reference.

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

Discussion

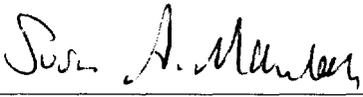
In response to the Notice, Petitioner submits that Rio Rico satisfies the Commission's definition of "community" for allotment purposes. Rio Rico is recognized as a community in the Rand-McNally Commercial Atlas, 131st 2000 Millennium Edition. The Arizona Department of Commerce also recognizes Rio Rico as a community by providing a "Community Profile" which is attached hereto as Attachment A (the "Profile"). According to the Profile, Rio Rico had a population of 1,407 persons as of 1990. The Profile also reflects that Rio Rico has its own fire department, post office zip code(85648), shopping mall, recreation center, golf course, baseball park, senior citizens center and a 256-acre industrial park. Rio Rico also has a monthly newspaper, the Arizonian. Moreover, the community operates its own water and sewage systems.

Conclusion

As set forth in the Petition, the proposed allotment serves the public interest since it would satisfy the Commission's technical rules and since it would provide Rio Rico with its first local aural transmission service. In addition, Petitioner confirms its earlier representation that it supports the proposed allocation; and upon the Commission's allotment of Channel 300A to Rio Rico, will promptly file an application for a construction permit on FCC Form 301; and, upon the Commission's grant of that application, will expeditiously construct and operate a new FM station on that Channel at Rio Rico.

Respectfully submitted,

SANTA CRUZ BROADCASTING

By: 
Susan A. Marshall

Its Attorney

FLETCHER, HEALD & HILDRETH, P.L.C.
11th Floor, 1300 N. 17th Street
Arlington, VA 22209
(703) 812-0400

December 18, 2000

bill/c . myfiles/sam/riorico.p

ATTACHMENT A

Community Profile

Rio Rico

Rio Rico ("rich river") is a planned community located in Santa Cruz County, 57 miles south of Tucson and 12 miles north of Mexico. The community's 39,000 acres roll gently down from the Santa Rita Mountains through the San Cayetano Foothills westward to the Santa Cruz River. The area around and including Rio Rico was once part of the Baca Float, a tract of approximately 100,000 acres granted by the U.S. Congress to the heirs of Luis Maria Baca as the result of an early, unclear grant from the Spanish government. The community had its beginnings in 1969 and has continued to grow at a steady pace with the influx of tenants to the Rio Rico South Industrial Park.

PRINCIPAL ECONOMIC ACTIVITIES

Rio Rico's South Industrial Park is comprised of 256 acres, with 100 acres now serving produce and distribution warehouses and manufacturing firms (C. E. Gillman Co., Badger Meter Manufacturing and Molex Inc.). The Rio Rico commercial area comprises 544 acres, which includes Rio Rico Resort (with tennis and 18-hole championship golf course) and a commercial center containing a supermarket, restaurant and a variety of specialty shops. Because of its proximity to Mexico, Rio Rico has become a stop-over for tourists, increasing the importance of tourism to the area.

A new active adult community is being planned.

SCENIC ATTRACTIONS

Rio Rico is in an area where Spanish and Indian families lived generations before the American Revolution and where Arizona history began. Tumacacori National Monument, four miles north, was visited by Father Kino in 1691, and had its most active years from 1791 to 1821. Eleven miles north of Rio Rico is Tubac Presidio, which was established in 1752 by the Spanish.

The new "Anza trail" along the path followed by Juan Bautista de Anza is now open. The walking/equestrian trail follows the Santa Cruz River and runs the 12-mile length of Rio Rico. It will



eventually connect with the Tubac segment which runs from Tumacacori National Monument to the Tubac Presidio.

Near Tubac are Aliso Springs, a Mexican ranch site and also the site of prehistoric occupation; the Salero Mine, one of the oldest mines in Arizona and worked by Mexicans before being purchased by Americans in the 1850s; Santa Rita Hacienda, both a mining and ranching center during the Spanish and Mexican periods, acquired by the Americans after the Gadsden Purchase. Sonoita, to the east, was established by the Sobaipuri Indians in 1698. It was visited by Kino and became a visita of the Guevavi Mission. Sopori, near Amado, was originally a Pima rancheria. It became a Spanish mining and stock-raising center and was acquired by Americans in the 1850s.

An excursion to the historic Tumacacori National Monument, Tubac Presidio, the ruins of old Fort Crittendon and the Duquesne or Washington Camp ghost towns can be made within a two-hour round trip from Rio Rico. Recreational areas such as Pena Blanca and Patagonia Lakes, Madera Canyon and Mt. Wrightson and the Coronado National Forest are nearby.

The Calabasas Mission Ruins, located in Rio Rico, were dedicated to the National Park Service in 1997.

POPULATION

	1980	1990	1998
Rio Rico	1,314	1,407	9,406*
Santa Cruz County	20,459	29,676	37,800
Arizona	2,716,546	3,665,228	4,764,025

Sources: Arizona Department of Economic Security, U.S. Census Bureau, and Southeastern Arizona Governments Organization.

* 1998 estimate projected from county population growth rates.

GROWTH INDICATORS

	1990	1997	1998
Postal Receipts (\$)*	48,653	N/A	N/A
School Enrollment**	955	2,124	2,259
Net Assessed Valuation (\$)***	22,270,164	27,006,030	29,233,129

* Rio Rico/Nogales Post Office, receipts are for fiscal year.

** Santa Cruz Valley Unified School District.

*** Fire District.

RIO RICO LABOR FORCE DATA

	1990	1995	1998
Civilian Labor Force	761	760	772
Employed	741	732	744
Unemployed	20	28	28
Unemployment Rate	2.6%	3.7%	3.6%

Source: Arizona Department of Economic Security.

Rio Rico

PROPERTY TAX RATE PER \$100 ASSESSED VALUATION

	1990	1997	1998
AZ State Tax	\$ 0.47	\$ 0.00	\$ 0.00
Flood	0.47	0.21	0.41
County Fire District	0.10	0.10	0.10
County	3.86	3.69	4.09
County Total	\$ 4.90	\$ 4.00	\$ 4.60
School District	6.07	9.53	9.28
Rio Rico Fire District	1.10	1.77	1.92
Total	\$12.07	\$15.30	\$15.80

Source: Arizona Tax Research Foundation

Note: Property tax in Arizona is based on assessed valuation which is 10 percent of market value for residential property. Average tax rate on homes in Arizona before exemptions and rebates is 1.3% of market value.

COMMUNITY FACILITIES

Rio Rico offers a broad range of community facilities including a park, a recreation center, children's playground, riding stables, one swimming pool, one 18-hole golf course, a little league baseball park, and several basketball, tennis, shuffleboard and racquetball courts. The Rio Rico Shopping Plaza has a supermarket, two restaurants, a video store, flower and gift shop, travel agency, insurance agency, and beauty salon. Rio Rico also has a new Senior Citizens' Center.

Communication. In addition to communication resources from the rest of the state, Rio Rico has a monthly newspaper, *the Arizonian*, and one television channel from Nogales.

Cable television is available through Saguardo Cable, Inc., which provides 24 channels, HBO, Cinemax and Disney channels are also available.

Educational. There are four schools in the Santa Cruz Valley Unified District #35. A new high school opened in 1994.

Medical. Complete medical services are available in Nogales, including one hospital with 80 beds and a 24-hour emergency service available, 19 physicians, three dentists, two chiropractors, one podiatrist, and three opticians.

Financial. Full financial services are available in Nogales, Arizona, 12 miles south. Further, Santa Cruz County businesses are eligible for assistance in financing fixed assets through the Finance Division, Arizona Department of Commerce. Information on private activity bonds within the county may be obtained from the same source or from the Santa Cruz County Economic Development Foundation, P.O. Box 1688, Nogales, AZ 85628.

Governmental. The community of Rio Rico is governed by the Santa Cruz County Board of Supervisors and served by the sheriff's department. The fire department has 25 volunteers, a rescue unit and firehouse.

Airport. The residents of Rio Rico have access to the Nogales International Airport (12 miles south).

Industrial Properties. There is one industrial park with 256 acres available for light industry, warehousing and produce distribution. All utilities are available, and there is easy access to the Southern Pacific Railroad and I-19. A neighborhood business park with 47.5 acres is available for light industry, warehousing and neighborhood-type businesses.

Utilities

Electricity:	Citizens Utilities Co.	(520) 281-1212
Natural Gas:	Citizens Utilities Co.	281-1212
Telephone:	U.S. West Communications	884-2355
Water & Sewer:	Rio Rico Utilities	281-7000

Lodging and Meeting Facilities. Rio Rico Resort has 175 rooms; there are also five meeting facilities with the largest seating 500.

WEATHER*

Month	Average Temperature (°F)		Average Total Precipitation (Inches)
	Daily Maximum	Daily Minimum	
January	65.9	31.2	0.84
February	68.8	32.4	0.59
March	72.7	35.5	0.65
April	81.4	41.0	0.23
May	89.6	47.4	0.12
June	98.2	57.2	0.41
July	97.1	65.5	3.96
August	94.1	63.4	3.61
September	93.8	58.2	1.34
October	86.2	46.8	0.71
November	74.6	37.2	0.58
December	67.4	32.5	1.18
Year	82.5	45.7	14.22

*Tumacacori National Monument Station

Average Total Snow, Sleet and Hail Annually: 0.5 inches (based on a 30-year average)

This profile was prepared by the Arizona Department of Commerce Communications Division in cooperation with the Nogales-Santa Cruz County Chamber of Commerce.

For further information, contact:

Rio Rico Properties, Inc.
275 Rio Rico Drive
Rio Rico, AZ 85648
(520) 281-8200
FAX: (520) 377-8400

Nogales-Santa Cruz County Chamber of Commerce
Kino Park
Nogales, AZ 85621
(520) 287-3685

Bulk orders and complete sets of profiles may be obtained at moderate cost from the Arizona Department of Commerce by calling (602) 280-1321.

Arizona Department of Commerce

3800 N. Central Ave., Ste. 1400
Phoenix, AZ 85012
(602) 280-1321 FAX: (602) 280-1305
<http://www.state.az.us/commerce>

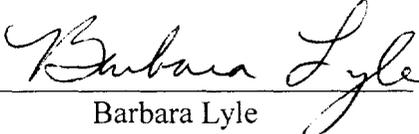
Reproduction of this publication for commercial use is prohibited by A.R.S. 39-121. Permission to reprint may be granted upon written request to the Arizona Department of Commerce.

CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a copy of the foregoing "Comments of Santa Cruz Broadcasting" was sent this 18th day of December, 2000, by hand-delivery to:

Mr. John A. Karousos
Chief, Allocations Branch
Policy & Rules Division, Mass Media Bureau
Federal Communications Commission
Room 3-A266, The Portals II
445 12th Street, S.W.
Washington, D.C. 20554

Ms. Nancy Joyner
Allocation Branch
Policy & Rules Division, Mass Media Bureau
Federal Communications Commission
Room 3-A267, The Portals II
445 12th Street, S.W.
Washington, D.C. 20554


Barbara Lyle