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January 10, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Via Hand Delivery

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, SW
Washington, DC 20554

Re: Amendment of Section 73.202(b), FM Table of Allotments, MM Docket No. 00-226, RM-10001

Dear Ms. Salas:

Transmitted herewith, on behalf of Root Communications License Company, L.P., are the original and four copies of its Reply Comments submitted in the above-referenced rulemaking proceeding.

Please note that the attached Declaration of Kenneth Slotnick contains a facsimile signature. The Declaration with Mr. Slotnick's original signature will be submitted to the Commission shortly.

Please direct any questions regarding this reply to Howard Liberman of this firm at (202) 775-7150 or to the undersigned.

Very truly yours,

Elizabeth Hammond

Elizabeth A. Hammond

Enclosures

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Before the
Federal Communications Commission
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	
FM Table of Allotments	)	MM Docket No. 00-226
FM Broadcast Stations	)	RM-10001
(Fair Bluff, North Carolina, Litchfield	)	
Beach, Johnsonville and Olanta,	)	
South Carolina)	)	

To: Chief, Allocations Branch,
Mass Media Bureau

REPLY COMMENTS

Respectfully submitted by

ROOT COMMUNICATIONS LICENSE COMPANY, L.P.

By: Howard M. Liberman
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1801 K Street, NW
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(202) 775-7100

Its Attorneys

January 10, 2001

TABLE OF CONTENTS

Summary iii

OLANTA, SOUTH CAROLINA 2

LITCHFIELD BEACH, SOUTH CAROLINA 6

SUMMARY

Root Communications License Company, L.P. ("Root") submits its Reply Comments in response to the Notice of Proposed Rule Making, DA 00-2485, MM Docket 00-226, RM-10001 released by the Commission on November 3, 2000, wherein the Commission is seeking comment on Waccamaw Neck Broadcasting Company's ("Waccamaw") request to reallot Channel 286A from Johnsonville to Olanta, South Carolina and Atlantic Broadcasting Company, Inc.'s ("Atlantic") request to reallot Channel 287C3 from Fair Bluff, North Carolina to Litchfield Beach, South Carolina. The Commission is seeking to determine whether Olanta and Litchfield Beach qualify as communities for FM allotment purposes and whether moving Channel 286A from Johnsonville to Olanta will serve the Commission's allotment priorities and the public interest.

In order to remove an existing sole transmission service from a community, the Commission requires that a petitioner show those "rare circumstances" where the public interest outweighs the public's expectation of continued service. Waccamaw and Atlantic, in their respective comments, have attempted to justify their request to strip Johnsonville of its sole local transmission service and move the allotment to Olanta. However, none of Waccamaw's nor Atlantic's explanations outweigh the public's independent expectation of continued service to Johnsonville.

In its comments, Atlantic submitted extensive documentation in support of Litchfield Beach as a community for Commission allotment purposes, but Atlantic's documentation does not show that Litchfield Beach has the requisite social, economic or cultural indicia with a nexus to Litchfield Beach to support a finding of community. Litchfield Beach lacks many of the basic qualities of a community – it has no post office, nor does it have its own zip code; it has no form

of municipal government; the majority of its municipal services are provided by Georgetown County or private communities; and the community groups are associated with both Pawley's Island and Litchfield Beach. Further, Litchfield Beach is interdependent with the nearby Myrtle Beach urbanized area. This interdependence prevents the establishment of Litchfield Beach as a community eligible for an award of first local service.

Because Waccamaw and Atlantic have failed to show that moving Channel 286A from Olanta to Johnsonville and moving Channel 287C3 from Fair Bluff to Litchfield Beach are in the public interest, Root requests that the Commission deny these proposed changes to the FM Table of Allotments, Section 73.202 of its rules.

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	
FM Table of Allotments	)	MM Docket No. 00-226
FM Broadcast Stations	)	RM-10001
(Fair Bluff, North Carolina, Litchfield	)	
Beach, Johnsonville and Olanta,	)	
South Carolina)	)	

To: Chief, Allocations Branch,
Mass Media Bureau

REPLY COMMENTS

Root Communications License Company, L.P., by its attorneys, respectfully submits these reply comments regarding the proposed amendments to the FM Table of Allotments, Section 73.202(b) of the Commission's rules, requested by Waccamaw Neck Broadcasting Company ("Waccamaw"), to reallot of Channel 286A from Johnsonville to Olanta, South Carolina and by Atlantic Broadcasting Company, Inc. ("Atlantic" and, collectively with Waccamaw, "Petitioners"), to reallot of Channel 287C3 from Fair Bluff, North Carolina to Litchfield Beach, South Carolina.

On November 3, 2000, the Mass Media Bureau issued a Notice of Proposed Rule Making seeking comments on whether Olanta and Litchfield Beach qualify as communities for allotment purposes and whether the reallotment of Channel 286A from Johnsonville to Olanta would serve the Commission's FM policies and priorities. Petitioners and Root timely submitted comments in this proceeding. Although Petitioners demonstrate that Olanta is a community for Commission allotment purposes, they do not demonstrate that the proposed reallotment to Olanta serves the Commission's policies and/or the public interest. Further, although Petitioners

provided detailed information about the Litchfield area, Petitioners have not established Litchfield Beach as a community eligible for the allotment of an FM station.

OLANTA, SOUTH CAROLINA

Waccamaw's comments include a letter from the mayor of Olanta in support of its showing that Olanta is a community for allotment purposes. From this letter, it appears that Olanta is a community eligible for allotment of an FM service.[1] However, the Commission also requested that Waccamaw show that the reallotment of Johnsonville's sole local transmission service to Olanta meets the Commission's FM priorities and serves the public interest. This Waccamaw has not done.

Waccamaw proposes to move the sole local transmission service allotted to Johnsonville, South Carolina to Olanta, South Carolina. Commission policy disfavors removal of a community's sole local transmission service when the service is an existing service. The Commission has stated that "the public has a legitimate expectation that existing service . . . will continue and that this expectation is a factor to be weighed independently against the benefits that may result from the reallotment."[2] The Commission has further stated such removal presumptively disserves the public interest and that it will waive this prohibition only in "rare circumstances" where removal serves the public interest.[3] Waccamaw's and Atlantic's comments provide limited justification for the Commission to strip Johnsonville of its sole local

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[1] *See* Waccamaw's Comments, Letter of Mel Thompson stating that Olanta has a form of government and provides municipal services to its residents.

[2] *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, Memorandum Opinion and Order*, 5 FCC Rcd 7094, 7097 (1990).

[3] *Id.* at p. 7096.

transmission service, but their explanations do not establish the type of "rare circumstances" where the public interest benefits outweigh the presumption of continued service to Johnsonville.

Waccamaw does not attempt to show that Johnsonville is not a community or that it is not otherwise deserving of FM service. Rather, Waccamaw attempts to bolster its request to remove Johnsonville's sole local transmission service by stating that Johnsonville would not be deprived of a local transmission service because a noncommercial FM channel operating at minimum power can be engineered at Johnsonville in accordance with the Commission's rules.[4] Waccamaw does not provide any showing that any eligible entity is poised to apply for such a facility.[5] Further, assuming that a noncommercial broadcaster is inclined to apply for a station at Johnsonville, the Commission has imposed a freeze on such applications until such time as it establishes standards under which it may evaluate mutually exclusive noncommercial applicants.[6] Finally, the Commission recently has stated "neither a vacant allotment nor a construction permit can be considered as a substitute for an operating station."[7]

Waccamaw also attempts to justity its request to eliminate Johnsonville's sole local transmission service by asserting that Johnsonville can *receive* a noncommercial station licensed to Hemingway, South Carolina.[8] Waccamaw states that Hemingway is just five miles from

---

[4] *See* Waccamaw's Comments at p. 3.

[5] Atlantic, in its comments, includes a statement that an existing noncommercial broadcaster would apply for the channel but for the fact that there is a freeze on such applications at this time. *See* Atlantic's Comments at p. 10-11. However, Atlantic does not include an affidavit from this potential applicant supporting this statement.

[6] *Reexamination of the Comparative Standards for Noncommercial Educational Applicants*, 15 FCC Rcd 7386, 7437 (2000).

[7] *See Sparta and Buckhead Georgia*, RM 9885, DA 00-2481, Released November 3, 2000, para. 5.

[8] *See* Waccamaw's Comments at p. 3.

Johnsonville and that this proximity allows the Hemingway station to serve as a local transmission service to Johnsonville.[9] Waccamaw provides no precedent where the Commission has considered neighboring communities as one for purposes of establishing local transmission service, nor does it provide any detail, other than proximity, to show that these communities have a unity of interests.

Waccamaw further argues that the Commission may abolish Johnsonville's sole local transmission service because the station has not been on the air for more than a minimum amount of time since 1997.[10] Waccamaw states that, since 1997, the station has only been on the air "for a day or so each year to prevent the automatic forfeiture of its license [and Waccamaw] has no immediate prospect of putting the station permanently back on the air."[11] However, Waccamaw has not shown that it is unable to find a buyer willing to operate the station at Johnsonville, nor does Waccamaw provide any financial showing that Johnsonville cannot support a Class A FM station. Further, it appears Waccamaw has attempted to do little more than preserve its license in more than three years.[12]

Atlantic attempts to assist Waccamaw in its justification to move Channel 286A from Johnsonville to Olanta by citing two instances where the Commission found removal of sole

---

[9] *Id.*

[10] *See* Waccamaw's Comments at p. 3-4. Atlantic also asserts that WPDT should not be treated as an operating station due to its sporadic operations. *See* Atlantic's Comments at p. 9.

[11] *Id.*

[12] Waccamaw believes WPDT should be treated as an unbuilt station since it has provided no service for over three years. Waccamaw's Comments at p. 4. If the Commission considers WPDT an unbuilt station, the time for construction to be completed likely has expired and, thus, the "permit" has been automatically forfeited under the Commission's rules. *In the Matter of 1998 Biennial Regulatory Review – Streamlining of Mass Media Applications, Rules, and Policies*, 13 FCC Rcd 23056 (1998), *recon. granted in part*, 14 FCC Rcd 17525 (1999).

local transmission services to be in the public interest.[13] Both cases are easily distinguishable from the present situation. In *Ardmore, Oklahoma and Sherman, Texas* and *Llano and Marble Falls, Texas*, the Commission found "rare circumstances" partially because the proposed reallotments were to serve larger communities.[14] Olanta is actually smaller than Johnsonville, with a population of only 687 compared to Johnsonville's population of 1,415.[15]

Moreover, in *Llano and Marble Falls, Texas*, the Commission approved the proposed reallotment of the Llano channel to Marble Falls because Llano was in turn receiving a different channel allotment with a specific commitment to place the new channel on the air at the time service would be lost from its existing allotment.[16] In *Ardmore, Oklahoma and Sherman, Texas*, the Commission determined that there would be no loss of existing service to Ardmore.[17] In the present case, the Commmission cannot predict when or if Johnsonville will ever receive a replacement transmission service and there is no evidence that Johnsonville will be served by Channel 286A at Olanta.

Perhaps Waccamaw's strongest public interest showing is that realloting Channel 286A from Johnsonville to Olanta will allow a minority broadcaster to provide a local broadcast service to the minority community in Olanta.[18] Although adding a minority broadcaster to the Commission's licensed ownership roster certainly is in the public interest, that alone does not

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[13] *See* Atlantic's Comments at p. 9-10 citing *Ardmore, Oklahoma and Sherman, Texas*, 7 FCC Rcd 4846 (1992) and *Llano and Marble Falls, Texas*, 12 FCC Rcd 6809 (1997).

[14] *Ardmore, Oklahoma and Sherman, Texas*, 7 FCC Rcd at 4847; *Llano and Marble Falls, Texas*, 12 FCC Rcd at 6811-12.

[15] http://www.census.gov/population/estimates/metro-city/placebyst/SC99T7_SC.txt.

[16] *Llano and Marble Falls, Texas*, 12 FCC Rcd at 6812.

[17] *Ardmore, Oklahoma and Sherman, Texas*, 7 FCC Rcd at 4847.

[18] *See* Waccamaw's Comments at p. 5.

support the deprivation of the much larger community of Johnsonville of its sole local transmission service.[19]

Thus, neither Waccamaw nor Atlantic has provided a sufficient reason for stripping Johnsonville of its sole local transmission service that outweighs the interest in continued service to Johnsonville, South Carolina.

LITCHFIELD BEACH, SOUTH CAROLINA

Atlantic submitted extensive documentation in support of Litchfield Beach as a community for Commission allotment purposes, but Atlantic's filing does establish that Litchfield Beach has the social, economic or cultural indicia with a nexus to the community necessary to support a finding that Litchfield Beach is a community. Atlantic has provided a list of local businesses in the Litchfield area which appears to be comprised predominantly of restaurants and service industry businesses, but Atlantic did not provide street addresses or demonstrate that these businesses are intended to serve local residents.[20] Root notes that Atlantic provided declarations from a few "community" residents and business owners with its petition for rulemaking; however, many of these residents and business owners have Pawley's Island addresses.[21] Root questions whether businesses listed on Atlantic's Exhibit 1 similarly have Pawley's Island addresses.

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[19] *See Tuscola and Clio, Michigan*, 15 FCC Rcd 8958 (2000) (finding that the difference in population between the two communities does not justify the removal of the sole local service); and *Potts Camp and Saltillo, Mississipi*, 13 FCC Rcd 11909 (1998) (finding the public interest benefits were not of enough significance to offset the disruption of an existing service).

[20] *See* Exhibit 1 to Atlantic's Comments. A few of the businesses appear to be listed twice. In addition, at least two of the businesses are not actually located in Litchfield Beach (Cooper Tires and Easy Pick Up Shell Station). *See* Declaration of Kenneth Slotnick, attached hereto.

[21] *See* Exhibit 4 to Petitioner's Joint Petition for Rule Making.

Root has further determined that Litchfield Beach does not have a department store or general purpose store such as K-Mart or Wal-mart available to serve its residents. The residents of Litchfield Beach must travel to Myrtle Beach or Georgetown to purchase anything other than groceries.[22] As the Commission repeatedly has determined, a population and a few businesses are not sufficient to establish a location as a community; rather, there must be political, social and commercial organizations with a sufficient nexus to the area.[23]

Atlantic includes the results of an Internet search which "yielded over a dozen pages of hits involving businesses, groups and associations identified with Litchfield Beach."[24] Yet a review of those pages reveals that the majority of sites listed are for the Golf and Resort locations in the Litchfield Beach area (the Litchfield Beach and Golf Resort is listed repeatedly) or realtors offering vacation rentals. Further, many of these sites include references to Myrtle Beach or Pawley's Island.[25]

Atlantic also includes a statement from the Georgetown County Administrator which includes an explanation of the difference in population as cited by the State of South Carolina and the County. The County Administrator states the differences are due primarily to the fact that the county includes residents who do not live in Litchfield Beach year round; these homes are included for 911 purposes.[26] Accordingly, the State of South Carolina figure of 2,213

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[22] *See* Declaration of Kenneth Slotnick.

[23] *See Kanarraville, Utah* 14 FCC Rcd 15962 (1999); *Crestview and Westbay, Florida*, 7 FCC Rcd 3059 (1992).

[24] *See* Atlantic's Comments at p. 2 and Exhibit 3.

[25] *Id.*

[26] *See* Letter of Thomas W. Edwards, Jr., Exhibit 4 to Atlantic's Comments.

persons provide a more accurate determination of the actual population residing in the Litchfield area.

Atlantic shows that Litchfield Beach is marked by highway signs and is on maps. However, a locality's mere geographical existence is insufficient to qualify it as a community.[27]

Atlantic also states that Litchfield Beach has several community groups, yet lists none of them. Perhaps this is because these organizations serve the entire area, not just Litchfield Beach. For example, the Pawley's Island-Litchfield Business Association serves both communities and is located in Pawley's Island, the Kiwanis Club meets in Georgetown and the Rotary Club meets in the Litchfield Country Club in Pawley's Island.[28]

Atlantic states that Litchfield has its own fire department located within the boundaries of the community and that it has its own library system.[29] However, Atlantic does not provide addresses for either facility and both the fire department and library are a part of the services provided by Georgetown County.[30]

Atlantic further includes pages from two separate telephone books; however, these telephone books serve the entire Grand Strand area, not just Litchfield Beach. In addition, these pages do not establish a local exchange assigned to Litchfield Beach. Moreover, a review of the

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[27] *See Crestview and Westbay, Florida*, 7 FCC Rcd at 3059.

[28] The Pawley's Island-Litchfield Business Association provides information on local civic groups. *See* www.pilba.org.

[29] *See* Atlantic's Comments at p. 4.

[30] *See* Declaration of Kenneth Slotnick.

pages provided show that some businesses with Litchfield in the name are actually located in Pawley's Island.[31]

Atlantic includes the Litchfield-by-the-Sea community rules and regulations, as well as its operating budget.[32] Litchfield-by-the-Sea is a private, gated community which can only be accessed by residents with appropriate stickers on their vehicles.[33] Moreover, as the operating budget shows, a significant portion of its budget is for pool, tennis and other facility maintenance or general administrative services such as legal, accounting, security and insurance.[34] Only approximately five percent of the operating budget is allocated to provide utility services and presumably these services are provided only to the residents of Litchfield-by-the-Sea, not the entire Litchfield area.

As Root stated in its comments, Litchfield Beach has no post office, no local government, and most services are provided by the county, including police and fire protection and schools.[35] The residents of Litchfield Beach must shop elsewhere for clothing or general necessities other than food.[36] Other than a few businesses, Litchfield Beach is lacking the essential elements of a community.

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[31] For example, the Litchfield Country Club, Litchfield Hardware, Litchfield Inn, and Litchfield Real Estate in the GTE pages and the Litchfield Company, Litchfield Financial Services, Litchfield Landscaping and Construction, Litchfield Oaks Apartments, Litchfield Plantation, and the Litchfield Restaurant in the HTC pages all have Pawley's Island addresses. *See* Exhibit 5 to Atlantic's Comments.

[32] *See* Exhibit 7 to Atlantic's Comments.

[33] *See* Declaration of Kenneth Slotnick.

[34] *See* Exhibit 7 to Atlantic's Comments.

[35] *See* Declaration of Kenneth Slotnick.

[36] *Id.*

Atlantic places great reliance on the Commission's recent decision finding Columbia City, Florida to be a community for allotment purposes.[37] Atlantic argues that Litchfield Beach is similar to Columbia City because it possesses three churches, several community groups, a civic association that provides valuable services, a local middle school, water-sewer facility, marina and local businesses that serve the community.[38] Atlantic conveniently overlooks the fact that the County is providing the middle school and water-sewer facilities for the Litchfield Beach, the community groups serve a larger area than Litchfield Beach, the civic association is, in reality, the association of a private, gated community whose services predominantly involve the maintenance of pool and other recreational facilities and community security, and that the marina is associated with another private community.

Litchfield Beach is easily distinguishable from Columbia City. Key elements in the Commission's determination that Columbia City is a community for allotment purposes included Columbia City's volunteer fire department and its school with active community involvement. Litchfield's fire services are provided by the County. In fact, other than services provided by gated, private communities, no municipal services are provided to Litchfield's residents. And with respect to the new Waccamaw Middle School, Atlantic provides no documentation, including address, that this school will be considered a part of the Litchfield community rather than the Pawley's Island-Litchfield community.

Atlantic's failure to provide social, political or much economic indicia with a nexus to Litchfield is much more analogous to decisions where the Commission has determined that that the area is not a community for allotment purposes. For example, the Commission found

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[37] *See* Atlantic's Comments at p. 5-7.

[38] *Columbia City, Florida*, RM-9602, DA 00-2828, Released December 15, 2000.

Jackpot, Nevada lacked community status despite petitioner's claim that Jackpot has a post office, zip code, three churches, a school, casinos and many businesses.[39] The Commission also determined that Kanarraville, Utah is not a community for allotment purposes because although the petitioner alleged that there are some local businesses and churches, it did not show that they are intended to serve Kanarraville as opposed to other areas.[40] Finally, the Commission found Hawthorne, Wisconsin lacking in community status because the petitioner failed to provide street addresses or show that businesses serve the residents of the community rather than the surrounding area.[41]

Columbia City is also distinguishable from Litchfield Beach because the Commission found that Columbia City was not a small community on the fringes of a larger urban area. Litchfield Beach is a small community located just outside the Myrtle Beach urbanized area.[42] Accordingly, the Commission must review Atlantic's proposal under the criteria established by *Faye and Richard Tuck*,[43] an analysis unnecessary to Columbia City.

Litchfield Beach is located approximately 15 to 20 miles south of Myrtle Beach, separated only by a few small beach communities. Myrtle Beach's population is more than six times the size of Litchfield Beach's.[44] As demonstrated by the map provided in Exhibit 2 hereto,

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[39] *Jackpot, Nevada* DA No. 00-541, Released March 10, 2000.

[40] *Kanarraville, Utah* 14 FCC Rcd 15962 (1999).

[41] *Hawthorne, Wisconsin*, 12 FCC Rcd 20142 (1997).

[42] *See* Exhibit 2 attached hereto, a map provided by Dataworld showing the 54, 60 and 70 dBu contours for a C3 FM station with maximim facilites at Atlantic's proposed Litchfield Beach transmitter site.

[43] 3 FCC Rcd 5374 (1988). A *Tuck* analysis focuses on signal population coverage, the size and proximity of the proposed community to the metropolis and the interdependence of the proposed community with the metropolis.

[44] The population of Myrtle Beach is approximately 25,495. *See* note 15 *supra*.

the 70 dBu contour of Atlantic's proposed station covers a significant portion of the southern part of the Myrtle Beach urbanized area and the 54 dBu contour covers the majority of the Myrtle Beach urbanized area. Litchfield Beach is heavily dependent on Georgetown County and Myrtle Beach. Litchfield Beach does not have its own post office or zip code, and Litchfield Beach provides no services (such as police or fire protection or schools) to its residents.[45] Although Litchfield Beach appears to have a few businesses (including two grocery stores and two banks), residents of Litchfield Beach must travel to Myrtle Beach or Georgetown to shop for most things.[46]

Litchfield Beach is a community more analogous to Sandy Springs, Georgia, which the Commission found to be a part of the Atlanta, Georgia urbanized area and, therefore, ineligible for an FM allotment. The Commission determined that based on the degree to which the proposed Sandy Springs station would provide service to Atlanta, the relative size and proximity of Sandy Springs and Atlanta, and the fact that Sandy Springs has no government, receives its service from the County or the city of Atlanta and many of the local businesses have a nexus to Atlanta that Sandy Springs should not be awarded a first local service preference.[47] All those factors are present here.

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[45] *See* Declaration of Kenneth Slotnick.

[46] *Id.*

[47] *Eatonton and Sandy Springs, Georgia, and Anniston and Lineville, Alabama*, 6 FCC Rcd 6580, 6584-85. *See also Grants and Peralta, New Mexico*, 14 FCC Rcd 21446 (1999) (finding Peralta a part of the Albuquerque urbanized area despite having its own zip code, volunteer fire department and businesses with Peralta addresses).

WHEREFORE, for the foregoing reasons, Root respectfully requests that the Commission deny Petitioners' proposed amendments to the FM Table of Allotments, Section 73.202(b) of the Commission's rules, as proposed in this rule making proceeding.

Respectfully submitted,

ROOT COMMUNICATIONS LICENSE COMPANY, L.P.

By: Elizabeth Hammond

Howard M. Liberman
Elizabeth A. Hammond
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1801 K Street, NW
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(202) 775-7100

Its Attorneys

January 10, 2001

EXHIBIT 1

Declaration of Kenneth Slotnick

I, Kenneth Slotnick, hereby declare as follows:

I have lived in the Litchfield area for approximately six years. Based on my knowledge of the Litchfield area, set forth below is information about the Litchfield area:

1. Litchfield Beach is one small portion of the Litchfield area, which is comprised of the following Litchfield communities – North Litchfield Beach, Litchfield-by-the-Sea, Litchfield Plantation, Litchfield Country Club and Litchfield Beach South.

2. The Litchfield area is not incorporated and has no local government or elected officials. Litchfield provides no police or fire services. The fire station located in Litchfield Beach is operated by Georgetown County.

3. The Litchfield Beach area has no post office and is a part of the Pawley's Island postal area (and shares the same zip code).

4. The residents of the Litchfield area are predominantly retired individuals who live in private, gated communities. Those residents of the Litchfield area who are employed work predominantly outside the Litchfield area in Myrtle Beach and Georgetown.

5. The Litchfield area does not maintain its own school system; rather children in the Litchfield area attend schools operated and maintained by Georgetown County. There are no schools located in Litchfield. The proposed new Waccamaw Middle School is located between Pawley's Island and Litchfield Beach and is intended to serve the children of both communities.

6. The Litchfield area shares a branch of the Georgetown County Library system with Pawley's Island and this branch is located nearer to Pawley's Island.

7. It is my understanding that the new water-sewer facility to be constructed to provide service to the Litchfield area is a part of the Georgetown County water-sewer system.

8. The Willbrook Plantation is a private, gated community with a non-public marina landing.

9. Litchfield-by-the-Sea is a private, gated community with guards. You must have a sticker on your car to enter this community.

10. The Litchfield area does not have its own phone exchange or phone books. The two local phone books are provided by GTE and HTC and provide information covering the entire Grand Strand area.

EXHIBIT 1

11. There are no department stores, K-Mart's, Wal-mart's, Target's or other such stores located in the Litchfield area. Residents must travel to Myrtle Beach and Georgetown for shops such as these.

12. Webster's Restaurant and Calyspo Beach Bar and Grill are located in and are a part of Litchfield-by-the-Sea, a gated community.

13. Eagles Resort Wear is part of a chain with numerous locations up and down the Grand Strand. The Litchfield location is not open throughout the year.

14. The Reserve is a private, members-only golf course. The Harbor Marina is a part of the Reserve.

15. The Pantry and Antonio's Pizza and Subs are each only in one location in the area.

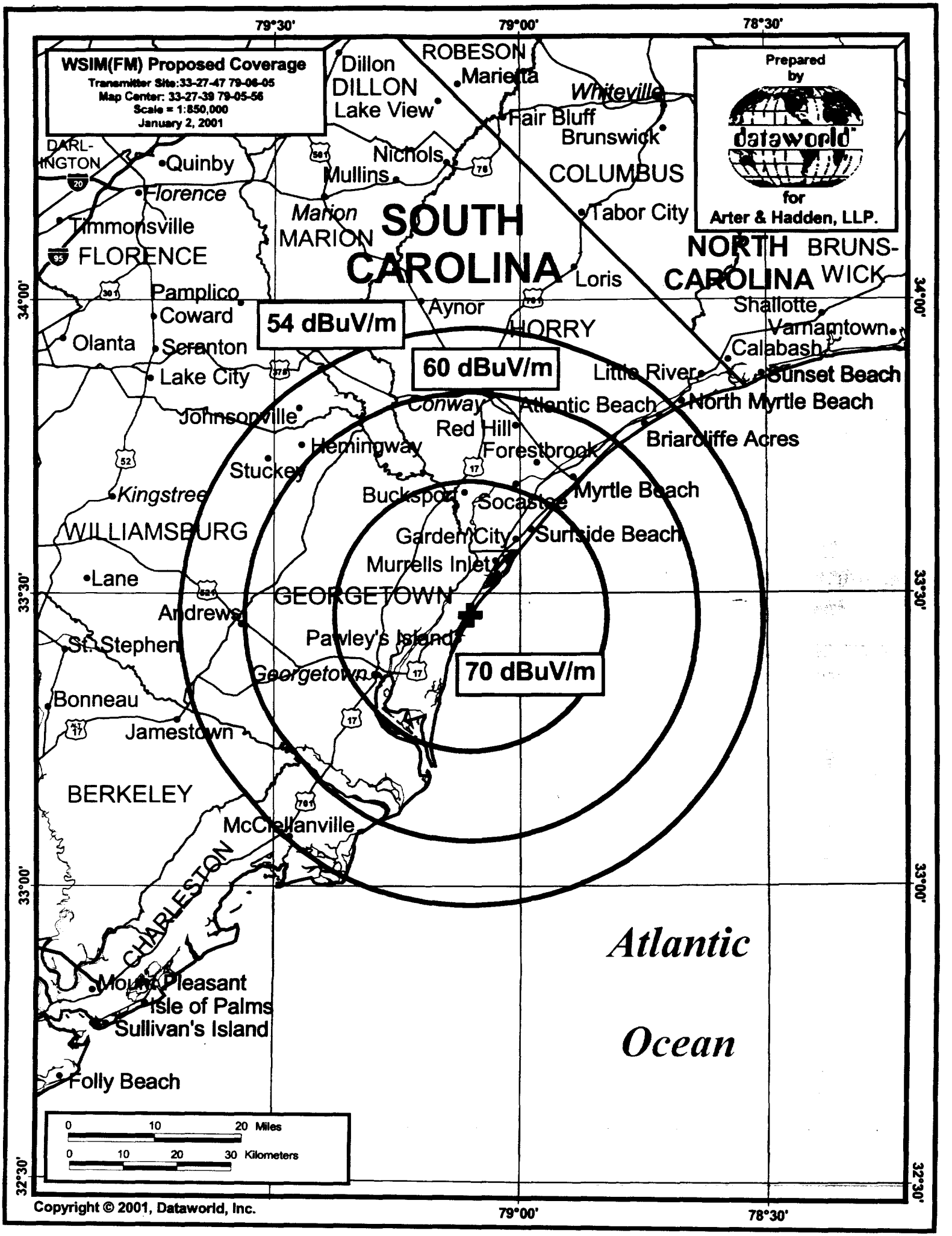
16. I am not aware of a Cooper Tires located in Litchfield Beach and the Easy Pick Up Shell Station is located in Pawley's Island.

I declare under penalty of perjury that the foregoing facts are true and correct to my personal knowledge. Executed this 10 day of January, 2001

Kenneth Slotnick

Kenneth Slotnick

EXHIBIT 2


WSIM(FM) Proposed Coverage
Transmitter Site:33-27-47 79-06-05
Map Center: 33-27-39 79-05-56
Scale = 1:850,000
January 2, 2001
Prepared by
dataworld
for
Arter & Hadden, LLP.
79°30'
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Atlantic Ocean
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Lake View
ROBESON
Marietta
Whiteville
Fair Bluff
Brunswick
COLUMBUS
Tabor City
DARLINGTON
Quinby
Florence
Timmonsville
FLORENCE
Nichols
Mullins
Marion
MARION
Loris
BRUNSWICK
Shallotte
Varnamtown
Calabash
Sunset Beach
Pamplico
Coward
Olanta
Scranton
Lake City
Aynor
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Little River
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Conway
Atlantic Beach
Red Hill
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Hemingway
Forestbrook
Stuckey
Kingstree
Buckspot
Socastee
Myrtle Beach
WILLIAMSBURG
Garden City
Surfside Beach
Murrells Inlet
Lane
GEORGETOWN
Andrews
St. Stephen
Pawley's Islands
Georgetown
Bonneau
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CERTIFICATE OF SERVICE

I, Nellie Martinez-Redicks, a secretary at the law firm of Arter & Hadden LLP, hereby certify that a true copy of the foregoing Reply Comments has been mailed by First Class United States mail, postage prepaid, this 10th day of January, 2001 to:

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