

DOCKET FILE COPY ORIGINAL

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

RECEIVED

APR 9 2001

ECC MAIL ROOM

MM Docket 01-48
RM-10062

In re)
)
Amendment of Section 73.202(b))
of the Commission's Rules,)
Table of Allotments,)
FM Broadcast Stations)
(Junction City, Missouri))

To: The Chief, Mass Media Bureau

Comments and Counterproposal

Dockins Communications, Inc. (Dockins) hereby submits its comments and a counterproposal to the above captioned proceeding. Dockins urges the Commission to deny the allocation of Channel 295 A at the unincorporated, quiet village, of Junction City, MO and rather, in its place, amend 47 CFR 73.202(b) to add Channel 295 A to Marquand, Missouri as its first local service. In support of this petition, Dockins states as follows:

1. Marquand is an incorporated city with a population of 278 Persons according to the 1990 US Census. Marquand has a Mayor and Board of Alderman form of local government. Mayor Warren Huffman serves with 4 Alderman from 2 wards. Marquand provides numerous services for its citizens including education via the Marquand / Zion R-VI school district, municipal water and sewer services as well as trash service. Marquand has a municipal police department and a fire department.

No. of Copies rec'd 013
List A B C D E

(2)

2. As demonstrated by the attached Engineering Report, Channel 295A can be allocated to Marquand as its first service in full compliance with the FM spacing rules by imposing a 9.32 km North West site restriction from the Marquand reference coordinates as listed by the United States Census Bureau. No other broadcast operation would be affected by this proposal. City Grade service levels that would be provided from the reference site are depicted in Exhibit 2 of the Engineering Report.
3. If The Commission amends the FM Table of Allotments as requested herein, Dockins will file an application for construction permit for Channel 295A operation at Marquand and, if granted that construction permit, will promptly construct the facilities, place them into operation, and seek a license covering the Marquand facility.
4. A need for FM service in Marquand exists. Allotting channel 295A to Marquand, Missouri would permit Marquand to receive this service. Favorable action on the Dockins counterproposal would thus be in the public interest.
5. Junction City, Missouri is not an incorporated community and it cannot be distinguished from the city of Fredericktown, MO. As such, it is not eligible as a community for the purposes of allocation.

For the reasons stated above, the public interest will be served by the allotment of Channel 295 A to Marquand, Missouri as its first local service. Accordingly, Dockins respectfully requests that the Commission deny the proposal originally sought in RM-10062 and instead amend 47 CFR 73.202 (b), the FM Table of Allotments, as follows:

(3)

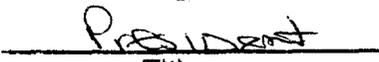
<u>CITY</u>	<u>Present Allotment</u>	<u>RM-10082 Allotment</u>	<u>Proposed Dockins Allotment</u>
Marquand, MO	---	---	295A
Junction City, MO	---	295A	---

Under penalty of perjury, Fred Dockins states that all information set forth in this counterproposal is true and accurate to the best of his belief.

Respectfully submitted,
Fred Dockins
Dockins Communications, Inc.



Fred Dockins



Title



Date

Dockins Communications, Inc.
540 South Maple Valley Dr.
Farmington, MO 63640
(573) 701-9590



WHEELER BROADCAST CONSULTING

Engineering Study

Comments and Counterproposal RM-10062, Docket 01-48

This consultant has been retained by Dockins Communications, Inc. (Dockins) for the purpose of preparing technical support to its comments and counterproposal in the above captioned proceeding. Specifically, Dockins proposes to amend 47 CFR 73.202 (b) so as to allocate Channel 295 A to Marquand, MO as its first local service.

RM-10062

In its petition, Bishop Community Radio sought to allocate channel 295A to Junction City, MO as its first local service. Short of naming that village, the petitioners provided no further information about its proposed community of license. Junction City, MO is in fact unincorporated with no form of local government, it provides no services to its residents, and relies entirely on the adjacent city of Fredericktown for all services. The zip code used by Junction City is 63645 which is the Fredericktown post office. In short, the village of Junction City is a quiet village which is indistinguishable from Fredericktown which presently has an aural service licensed to it.

6025 MARTWAY
SUITE 117
MISSION KS 66205
913 362 7287
913 362 7287

Proposed Marquand, MO Operation

The coordinates of the city of Marquand, Missouri are listed by the United States Census Bureau as:

37° 25' 43" N. Latitude
90° 10' 01" W. Longitude

*Engineering Study
Page 2*

The point nearest to Marquand which meets the minimum spacing requirements of 47 CFR 73.207 is identified by the coordinates:

37° 30' 00" N
90° 08' 41" W

This point is 9.32 km distant from Marquand at a bearing of 31.8°. A full search of the Commission's March 22, 2001 FM database, demonstrating compliance with all minimum spacing requirements is included in this report as Exhibit 1. Exhibit 2 of this report is a digitally generated map which shows the 60 dBu, 70 dBu, and a 16.2 km radius circle from the proposed allocation point. As shown in Exhibit 2, the entire community of Marquand would receive a predicted signal well in excess of the 70 dBu minimum prescribed by 47 CFR 73.315 of the Commission's rules. The allocation reference point is not located in an environmentally sensitive area and would be suitable as a FM transmitter location. The proposed Marquand operation would provide a first local service to the residents of Marquand and would further provide an additional aural service to an area totaling 2538.7 km² which contains a population of 23,251 persons according to the 1990 US Census.

Marquand, MO

Marquand, MO is an incorporated city located in Madison, County, Missouri. The population of the city of Marquand is 278 persons according to the 1990 US Census. Marquand has a Mayor and Board of Aldermen form of municipal government and provides protection to its citizens through a municipal police and fire departments. The current mayor is Warren Huffman. Marquand provides education to its residents via the Marquand / Zion R-VI School District. Marquand has its own post office and zip code, 63655. The City of Marquand provides water sewer, and trash services to its citizens. Local economic development is fostered by and a historical park is operated by a Marquand non profit group named CROP which stands for Citizens Realizing our Potential. Marquand has numerous churches and businesses. A sampling of businesses includes All American Industries, Inc., Cheek Manufacturing, The Hide Away Cafe, Kohl Enterprises, McDowell's Auto Body, Moore's Grocery Store, and the Sun Security Bank.

Engineering Study
Page 3

Conclusion

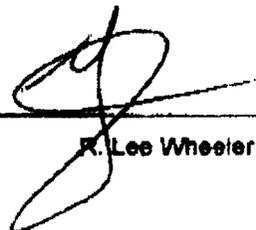
Marquand, Missouri is a legitimate Class IV Missouri city which is deserving of its first local aural service and Channel 295 A is the only available channel to provide such a service to the community. Junction City, MO, on the other hand, is not distinguishable from the city of Fredericktown and has no municipal structure. In light of the above facts, this proposal is clearly in the public interest and it is respectfully requested that 47 CFR 73.202(b) be amended as follows:

Community	Present	RM-10092	Dockins Counterproposal
Marquand, MO	-----	-----	295 A
Junction City	-----	295 A	-----

Certification

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

4/5/01
Date


R. Lee Wheeler

Dockins Communications Inc.
Marquand MO

REFERENCE

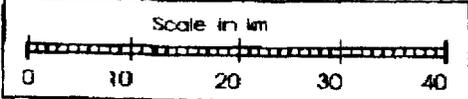
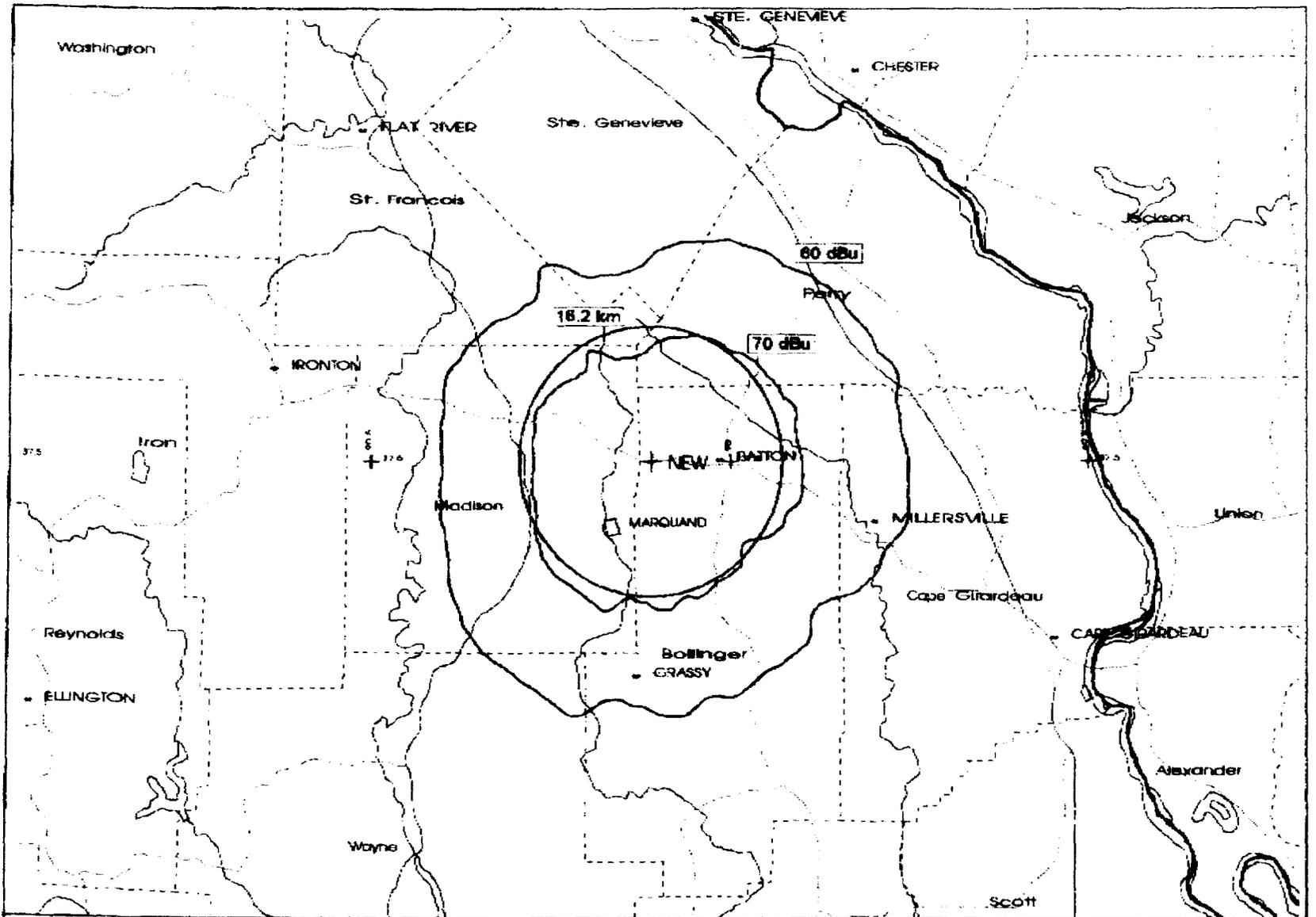
37 30 00 N
90 06 41 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 03-22-01
SEARCH 04-05-01

----- Channel 295 - 106.9 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin	
N. Lat.	W. Lng.	Power	HAAT				
RADD	ADD 295A	Junction City	MO	16.23	329.5	115.0	-98.77
37 37 33	90 12 18	6.000 kW		100 M			
		RM10062					
KBHI.C	CP 296A	Miner	MO	72.00	149.2	72.0	0.00
36 56 33	89 41 47	6.000 kW		100 M			
	Dana R Withers	BMPH199902011C					
KAUL	LIC 294A	Ellington	MO	72.02	245.8	72.0	0.02
37 13 58	90 51 08	3.000 kW		91 M			
	New Life Evangelistic Cent	BLH19990518KC					
WWYN	LIC 295C1	Mckenzie	TN	213.48	145.9	200.0	13.48
35 54 06	88 46 55	100.000 kW		272 M			
	Rainbow Media, Inc.	BLH19880519KC					
WDML	LIC 295A	Woodlawn	IL	130.36	42.6	115.0	15.36
38 21 29	89 05 56	3.000 kW		100 M			
	Volunteer Broadcasting Of	BLH19931118KC					
KTXV	LIC 295C	Jefferson City	MO	244.17	302.0	226.0	18.17
38 38 16	92 29 34	100.000 kW		381 M			
	Zimmer Radio Of Mid-missou	BLH19900727KA					
WDDDFM	LIC 297B	Marion	IL	107.64	74.4	69.0	38.64
37 45 15	88 56 05	50.000 kW		150 M			
	Clear Channel Broadcasting	BLH19850305KR					
WSSM	LIC 293C1	Granite City	IL	120.60	351.2	75.0	45.60
38 34 24	90 19 30	90.000 kW		313 M			
	Bonneville Holding Company	BLH19890509KC					
KBMVFM	LIC 296C3	Birch Tree	MO	139.71	246.2	89.0	50.71
36 59 07	91 32 54	15.000 kW		100 M			
	Eagle Bluff Enterprises	BLH19950915KA					
ALLO	VAC 292A	Bunker	MO	97.60	267.4	31.0	66.60
37 27 18	91 12 48	6.000 kW		100 M			
WZZL	LIC 294A	Reidland	KY	139.37	108.3	72.0	67.37
37 05 55	88 37 19	4.700 kW		113 M			
	W. Russell Withers, Jr.	BLH19990621KD					
KMISFM	LIC 293C2	New Madrid	MO	124.99	162.5	55.0	69.99
36 25 31	89 41 29	50.000 kW		143 M			
	Williams Communications, I	BLH19930908KS					
KFEB	LIC 298C3	Campbell	MO	113.46	168.3	42.0	71.46
36 29 55	89 51 16	17.500 kW		119 M			
	Eagle Bluff Enterprises	BLH19981113KA					



Proposed Ch. 295 A Operation - Marquand, MO
 N. Lat. 37 30 00 W. Lng. 90 06 41

EXHIBIT 2
 LEE WHEELER - 04/01

Certificate of Service

Under penalty of perjury I, Fred Dockins, certify that on the 7th Day of April, 2001 a copy of the attached Comments and Counterproposal were sent, via First Class Mail to:

**Randall Eugene Spence
President and CEO
Bishop Community Radio, Inc.
5918 Flemming Drive
Evansville, Indiana 47711**

Signed 

Date 4-6-01