

May 28, 20001

Office of the Secretary
FCC
445 12th Street SW
Washington, DC 20554

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JUN 04 2001

FCC MAIL ROOM

Petition for Rulemaking

It is requested that the commission consider this petition for rulemaking concerning the upcoming FM Broadcast Auction #37 in relation to channel 228A, Frequency 93.5, CDBS applicant ID. 295982 Docket 98-207.

This petition for rulemaking requests the removal of channel 228A, Frequency 93.5, for Wellsville, NY. The request for consideration is made for the following reasons:

At the time the Commission considered the allocation (MM Docket 98-207RM9408 adopted November 25, 1998), which was initially channel 246A later changed to 228A. The Commission stated "the allotment warrants consideration since the allotment could provide the community with its first local competitive FM".

It is extremely important to point out to the Commission that radio station WZKZ, Alfred, NY, Channel 270A, 101.9 MHZ, began broadcasting in February 1999. Alfred, NY is less than 15 miles to Wellsville, NY. However WZKZ has its main office and local mailing address in Wellsville, NY and through its on air and off air promotion to the public has operated as a Wellsville radio station. Enclosed is an attachment from the official Village of Wellsville, NY Government Web Page from the internet identifying WZKZ as a Wellsville, NY radio station.

The population and economic conditions of Wellsville and the surrounding areas strongly suggest that yet another FM facility cannot be supported. Further more the Commission's goal as adopted November 25, 1998 (MM Docket 98-207RM9408) providing the community with its first local competitive FM has been attained.

I respectfully request that the Commission consider this petition for rulemaking.



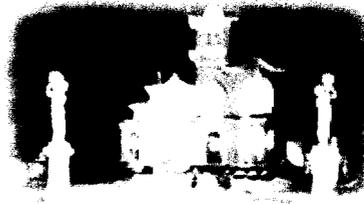
Robert Mangels
121 North Highland Ave
Wellsville, NY 14894

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Cc: Attachments.

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Location:

Encompassing more than 22,000 square acres, Wellsville is located in New York's South the Genesee River Valley. It is 11 miles north of the Pennsylvania border, about 90 mile Rochester and about 90 miles southeast of Buffalo. Coming is about 50 miles east, and about 35 miles west. The village is located at the juncture of State Routes 19, and 417, ; 12 miles south of State Route 17, the Southern Tier Expressway, now known as Interstate

Demographics:

As the largest township in Allegany County, Wellsville's town and village have a populat approximately 8,200.

Housing:

Average Costs:

- 3 Bedroom, 1 1/2 Bath \$50 - \$70,000
- 2 Bedroom, \$350/month
- 1-2 Acres \$8 - \$15,000
- Construction \$55 - \$75/sq. ft.

Average Home Costs:

- Village \$58,875
- Town \$57,166

Utilities:

- Village - Municipal Electric (.03/kWh)
- Town - Niagara Mohawk Power Company

Education:

Public

- Wellsville Central School District (K-12)
- Annual Enrollment: 1,560
- Student/Teacher Ratio: 13:1

Private

- Immaculate Conception School (pre-K - 8)
- Annual Enrollment: 175
- Student/Teacher Ratio: 11.7:1

Local Colleges and Universities

- Alfred University
- NYS College of Ceramics at Alfred
- Alfred State College
- Houghton College

Economics:

Wellsville's Cost of Living Index vs. the U.S. average equals 90.79%. This index takes ir consideration the cost of housing, transportation, consumables, utilities and other servic



Current Weather Conditions

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Stock Quotes

Wellsville's major employers include: Dresser-Rand, ABB Air Preheater, Northern Lights Jones Memorial Hospital, Wellsville Central Schools, L.C. Whitford Co., Current Control Eastern Service and Allegany ARC.

Services:

Jones Memorial Hospital has provided excellent care for over 70 years. This 70 bed facility provides a complete range of modern medical services. Apart from Jones Memorial, Wellsville maintains a citizen/patient ratio of 172:1.

Local newspapers include the Wellsville Daily Reporter, the Olean Times Herald, and The Wellsville Post. Wellsville is also home to three radio stations, WJQZ-FM, WLSV-AM, and WZKZ-FM.

Wellsville is served by four financial institutions including Fleet Bank, Steuben Trust Corporation, Community Bank, and Alco Federal Credit Union.

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FOU...

The Municipal Building
156 North Main Street
Wellsville, NY 14895

Phone: (716) 593-4881
Fax: (716) 593-3938
Email: info@wellsvillenys.com

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NORTHERN POTTER SCHOOL CLOSING PROCEDURES

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A decision will be made regarding the delay or cancellation of school by approximately 6:30 a.m. Parents should tune their radio to one of the following radio stations and monitor the announcements:

WFERM - Coatesport - 600 AM

WLSV - Wellsville - 790 AM

WJQZ - Wellsville - 103.5 FM

WHIG - Olean - 95.7 FM

WHPL - Olean - 1450 AM

WCIS - Friendship - 89.1 FM

WNBT - Wellboro - 104.5 FM

WINK - Elmira - 106.1 FM

WZKZ - Wellsville - 101.9 FM


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