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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, D.C. 20554

ORIGINAL

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 01-33
FM Table of Allotments,)	RM-10060
FM Broadcast Stations.)	
)	
(Caro and Cass City, Michigan))	

Opposition To Opposition To Petition For Reconsideration

Edward Czelada ("Czelada") hereby opposes the Opposition To Petition For Reconsideration ("Opposition") filed by Edwards Communications ("Edwards") on June 26, 2001. In support thereof, the following is shown:

1. Background. Before the Allocations Branch is a proposal to amend the FM Table of Allotments in Section 73.202(b). The proposal involves a change of community of license that would provide a first local service at Cass City on channel 221C3 at the request of Edwards Communications, L.C., licensee of Station WIDL (FM) Caro, Michigan on channel 221A. The Commission asked for comments and counterproposals with a comment deadline of April 2, 2001 and a reply comment deadline of April 17, 2001. A counterproposal was timely filed by Czelada asking for the substitution of channel 297C3 instead of 221C3 at Cass City so that spectrum in the reserved portion of the FM band may be preserved. On May 4, 2001 the Commission approved the Change of WIDL from 221A at Caro to 221C3 at Cass City stating it was in the "public interest" and that "no comments or counterproposals" were received. After reviewing of the May 4, 2001 Report and Order that was silent on the Czelada counterproposal a fax was sent by Czelada with a "FCC date stamped" copy of the counterproposal to the attention of Mr. John Karousos. The FCC staff gave no direct response to the contact attempts by Czelada however on May 11, 2001 an Erratum was released stating that a footnote was "inadvertently omitted" and that the

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counterproposal was "not considered" because it was "defective when filed" according to the Commission. On June 11 Czelada filed a Petition For Reconsideration sighting mainly 307(b) concerns. On June 26 Edwards filed an Opposition To Petition For Reconsideration. This instant Opposition To Opposition To Petition For Reconsideration is timely filed.

2. *Discussion.* Edwards quarrels with several technical aspects of the Counterproposal that should have been addressed by Edwards during the Reply Comment period. The deadline for Reply Comments was April 17, 2001 and Edwards first response regarding the Counterproposal was filed over two months late. A Motion To Strike would be appropriate in this case, however in a effort to find a win-win solution we will simply address the three main issues here:

A) Channel 297C3 at Cass City does have a fully spaced site for allocation purposes near the town of Ubyly. We have prepared an engineering exhibit (copy attached) in tabular form that demonstrates that a fully spaced site is available.

B) The 70 dBu (F 50, 50) does cover the entire village of Cass City. In support thereof we provided an accurate coverage map (copy attached) that demonstrates the required community coverage. Edwards provides a 70 dBu coverage map with Cass City drawn as a square "blob" when the village of Cass City has a very distinctive shape.

C) Channel 218C3 can be used in Ubyly as a noncommercial frequency. Edward claims 218C3 cannot be used because of overlap with a new application in Bridgeport, MI and an allocation in Exeter, ON Canada.¹ In both cases a simple direction antenna with front to back ratio of approximately 10 dB can be used so meet all US contour protection requirements as well as the US-Canadian Working

¹ The actual call letters are CBCO11-FM in Exeter, ON Canada. In the attached exhibit CBCO11-FM was treated as full Class A (6kW @ 100 Meters).

Arrangement. In support thereof we provide a contour map (copy attached) that demonstrates that 218C3 can work at Ubly, MI. In the Counterproposal we acknowledged that 218C3 at Ubly would be "limited" in certain directions. Edwards claim that 218C3 "cannot be assigned at this location" is erroneous.

3. *Conclusion:* We respectfully request that the Commission reconsider the May 4, 2001 Report and Order and the May 11, 2001 Erratum and determine that 297C3 can be allocated to Cass City to preserve scarce reserved band spectrum. Also, Edwards Opposition To Petition For Reconsideration should be dismissed because it failed to demonstrate that 297C3 and 218C3 cannot be used in the matter described in the Counterproposal.

The undersigned hereby verifies that this document and previous related pleadings, pursuant to §1.52 of the Commission's rules, is true and correct to the best of my knowledge.

Respectfully submitted,

By: Edward T. Czelada
Edward T. Czelada

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July 10, 2001

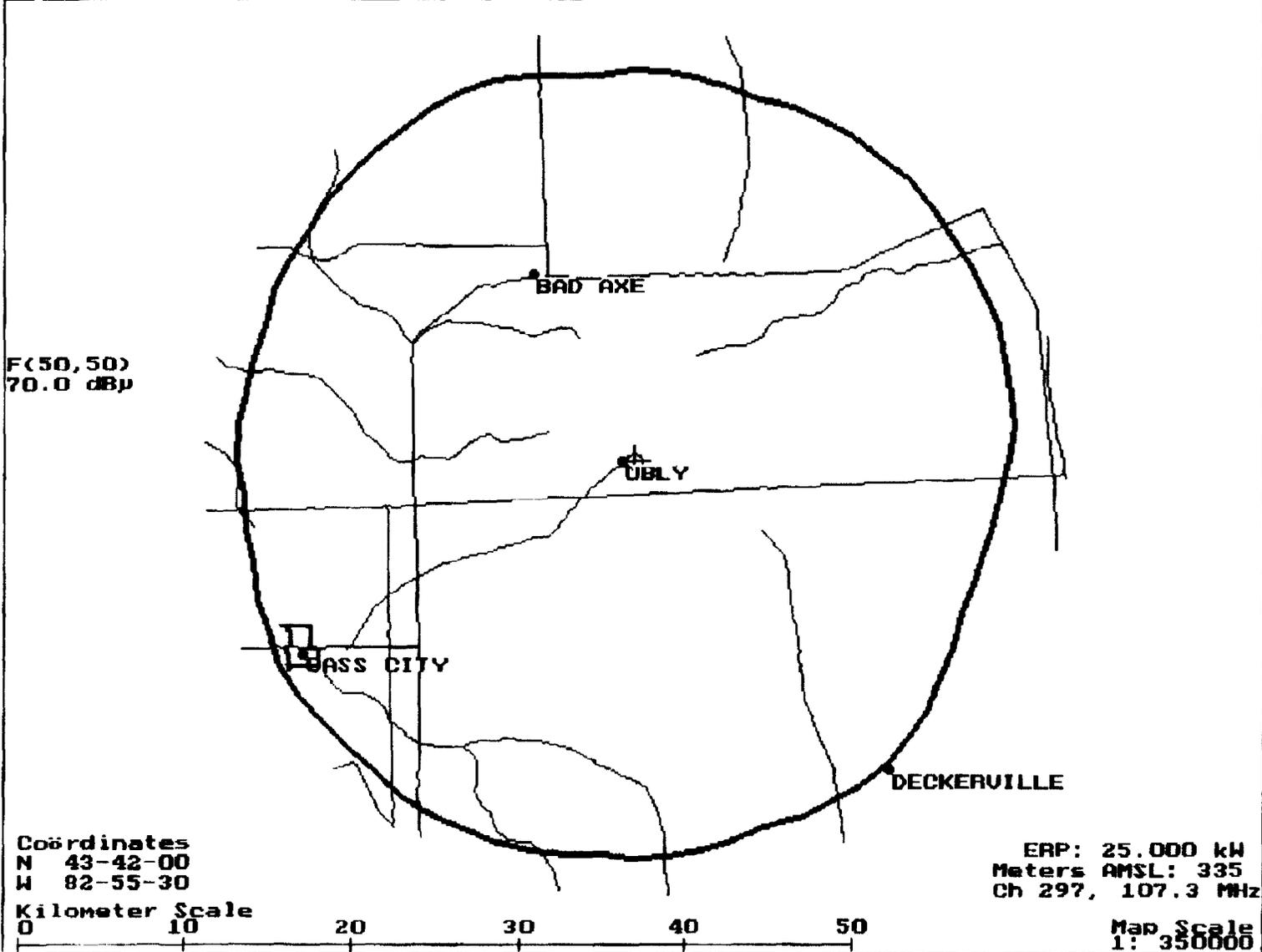
Search of channel 297C3 (107.3 MHz), at N. 43 42 0, W. 82 55 30.

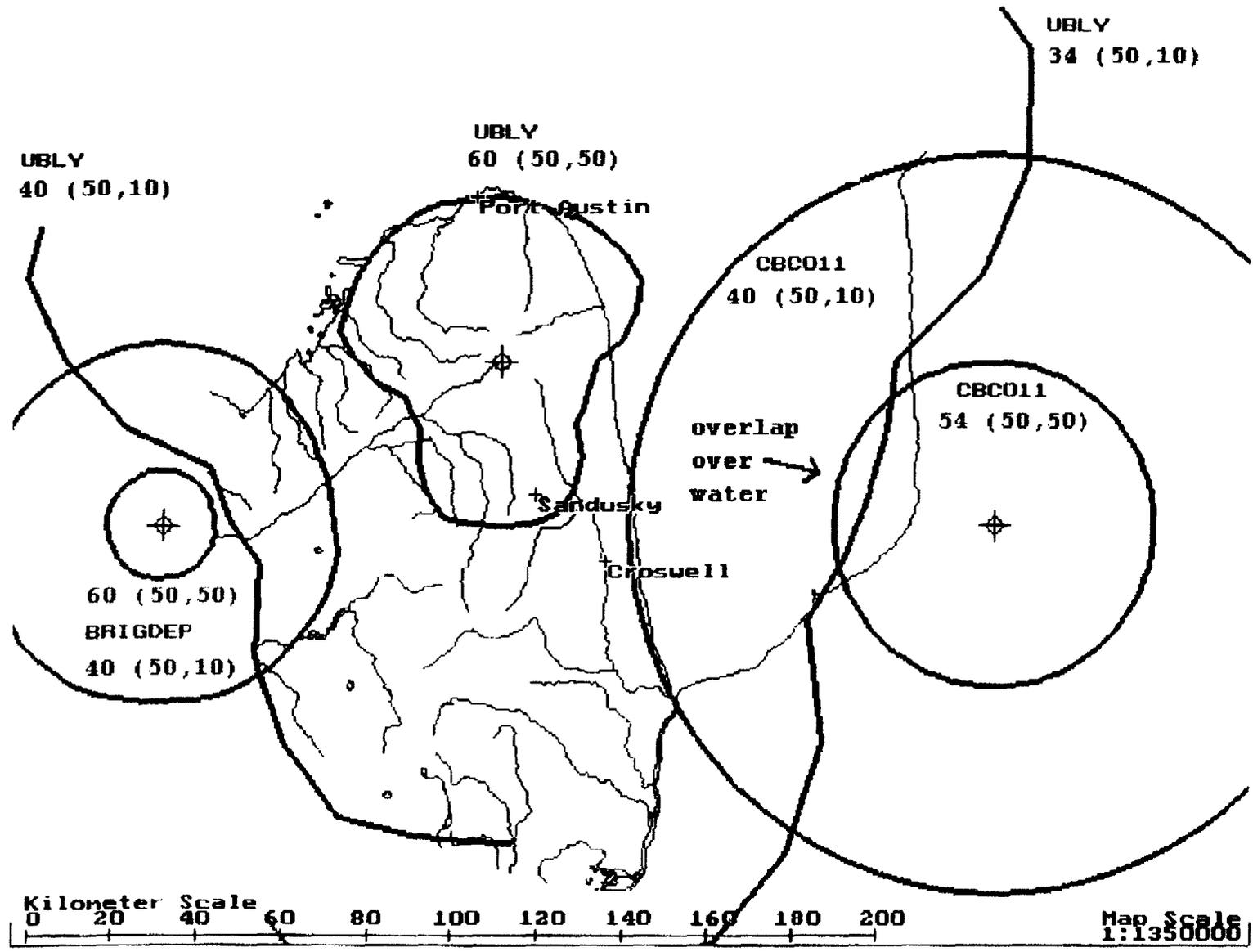
Searching Channel 297C3 (107.3 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG
CLEARANCE								
ALC	Saginaw	MI	296	A	U	89.0	89.0	244.4 0 0.0
ALC	Port Huron	MI	296	A	U	88.6	89.0	155.1 0 -0.4 /1
WSAQ	Port Huron	MI	296	A	L	88.6	89.0	155.1 0 -0.4 /1
WTLZ	Saginaw	MI	296	A	L	89.0	89.0	244.4 0 0.0
ALC	Greenville	MI	297	B	U	210.6	211.0	249.0 0 -0.4 /1
WODJ	Greenville	MI	297	B	L	210.6	211.0	249.0 0 -0.4 /1
ALC	Detroit	MI	298	B	U	149.5	145.0	184.4 0 4.5
WGPR	Detroit	MI	298	B	L	149.5	145.0	184.4 0 4.5
ALC	Flint	MI	300	B	U	95.9	71.0	213.5 0 24.9
WCRZ	Flint	MI	300	B	L	95.9	71.0	213.5 0 24.9

/1 rounds down to zero.

Results of channel search for 297C3: Clear at 43 42 00, 82 55 30.





CERTIFICATE OF SERVICE

I certify that on this 10th day of July 2001, I caused a copy of the foregoing "Opposition To Opposition To Petition For Reconsideration" to be mailed via first class postage prepaid mail to the following:

Edwards Communications, L.C.
C/O John S. Neely
Miller and Miller, P.C.
P. O. Box 33003
Washington, DC 20033

Edward Czelada

Edward Czelada