

ORIGINAL

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
(Junction, Texas))

MM Docket No. 01-132
RM - 10149

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COMMENTS

First Broadcasting Company, L.P., Next Media Licensing, Inc., Rawhide Radio, L.L.C., Capstar TX Limited Partnership, and Clear Channel Broadcasting Licenses, Inc. ("Joint Parties"), by their respective counsel, hereby submit their Comments to the *Notice of Proposed Rule Making* ("NPRM"), DA 01-1482 (rel. June 22, 2001) in the above-captioned proceeding. The Joint Parties' interest in this proceeding stems from the Counterproposal they filed in MM Docket No. 00-148. The comment date in that proceeding was October 10, 2000. One of the proposals in that Counterproposal was the allotment of Channel 297A to Llano, Texas.

The *NPRM* proposed to allot Channel 297A to Junction, Texas, as the community's second local FM transmission service. The petition to allot Channel 297A was filed by Charles Crawford on May 18, 2001. The attached channel study demonstrates that the proposal for Channel 297A is short spaced to the prior-filed proposal for Channel 297A at Llano by 1.33 km. The Commission may have failed to identify this short spacing when it issued the *NPRM* in this proceeding because it appears that the Commission had not at that time entered all of the proposals in MM Docket 00-148 into its data base. However, on August 3, 2001, the Commission issued a Public Notice, Report

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No. 2500 announcing acceptance of the Llano rule making proposal. Accordingly, the Commission should rescind the Notice of Proposed Rule Making as late filed to a pending rule making proceeding. See e.g., Comfort, Texas, DA 01-1864 released August 3, 2001. In the alternative the Commission may be able to place a site restriction on this proposal to eliminate the 1.33 km short spacing.

Accordingly, the Joint Parties urge the Commission to protect their prior filed and cut-off proposal for Channel 297A at Llano, Texas and dismiss or site restrict the proposal for Channel 297A at Junction, Texas.

Respectfully submitted

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August 13, 2001

Ch 297A Llano, TX

Of Note: Add 297A Goldthwaite, TX conflicts with original counterproposal

Of Note: Add 297A Junction, TX conflicts with original counterproposal

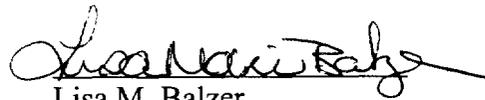
| 30 43 40 N. | Class A | | | | | | Search Date |
|--|------------------------|--------------------|-----------|--------------|---------------|--------------|-----------------|
| 98 36 43 W. | Current rules spacings | | | | | | 08-06-01 |
| ----- Channel 297 -107.3 MHz ----- | | | | | | | |
| Call | Ch# | City | State | Bear' | Dist' | R'qrd | Margin |
| RADD | 297A | Llano | TX | 0.0 | 0.00 | 115.0 | -115.00 * |
| RADD | 297A | Llano | TX | 275.0 | 11.32 | 115.0 | -103.68 * |
| RADD | 297A | Goldthwaite | TX | 352.9 | 83.45 | 115.0 | -31.55 * |
| Of Note: New filing in conflict with original counterproposal | | | | | | | |
| KLFX | 297A | Nolanville | TX | 67.5 | 104.85 | 115.0 | -10.15 * |
| KLFX.A | 297A | Nolanville | TX | 67.6 | 106.60 | 115.0 | -8.40 * |
| RADD | 297A | Junction | TX | 254.9 | 113.67 | 115.0 | -1.33 * |
| Of Note: New filing in conflict with original counterproposal | | | | | | | |
| KXTNFM | 298C | San Antonio | TX | 168.2 | 164.52 | 165.0 | -0.48 * |
| KHLBFM | 295A | Burnet | TX | 88.2 | 30.53 | 31.0 | -0.47 * |
| KFANFM | 300C2 | Johnson City | TX | 182.5 | 58.90 | 55.0 | 3.90 * |
| RADD | 296A | Brady | TX | 301.6 | 83.88 | 72.0 | 11.88 |
| KGSR | 296C2 | Bastrop | TX | 124.1 | 119.83 | 106.0 | 13.83 |
| RADD | 296A | Medina | TX | 211.0 | 120.66 | 72.0 | 48.66 |

CERTIFICATE OF SERVICE

I, Lisa M. Balzer, a secretary in the law firm of Shook, Hardy and Bacon, do hereby certify that I have on this 13th day of August, 2001 caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Comments" to the following:

* Ms. Sharon McDonald
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Petitioner for Junction, Texas


Lisa M. Balzer

* Hand Delivered