



Federal Communications Commission
Washington, D.C. 20554

August 14, 2001

2001 AUG 15 P 12:43

Dave Sheldon
1730 Kirk Dr.
Unit A
Lake Havasu City, AZ 86404

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RECEIVED

Dear Mr. Sheldon:

This is in response to your letter seeking the allotment of FM Channel 300 (107.9 MHz) to Lake Havasu City, Arizona.

In order to provide the opportunity for a new FM broadcast allotment at a specific community, a petition to institute a rule making proceeding to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules must be filed. Although there are no specified forms for filing a petition for rule making, the Commission does require that the petition for a new FM channel allotment contain the following specific information: (1) name of the petitioner; (2) channel number and class of channel requested; (3) community of interest; (4) reason for the requested amendment as specified in Section 1.401 of the Commission's Rules; and (5) a statement of the petitioner's intent to apply for the channel, if allotted. Additionally, the petition must include a technical showing to demonstrate that the proposed amendment will comply with the minimum distance separation requirements of Section 73.207 of the Commission's Rules. All foreign and domestic allotments must also be considered in the showing.

Additionally, Section 1.52 of the Commission's Rules requires that the original of any document filed with the Commission by a party not represented by counsel, be signed and verified by the party and his/her address stated. Although your request was signed and an address provided, you did not include an affidavit verifying that the statements contained in your request are accurate to the best of your knowledge and belief. In the absence of such verification, the petition may be dismissed. Section 1.401(b) of the Commission's Rules concerning rule making proceedings places petitioners on notice that their proposal must conform to the requirements of Section 1.52 regarding subscription and verification. See also Amendment of Sections 1.420 and 73.3584 of the Commission's Rules Concerning Abuses of the Commission's Processes, 5 FCC Rcd 3911, n.41 (1990).

In view of the above, your request for rule making, as filed, is unacceptable for consideration.

Sincerely,

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau