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August 20, 2001

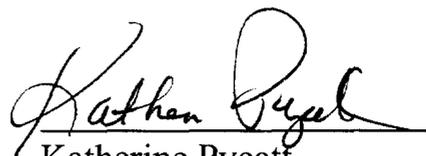
Ms. Magalie R. Salas, Secretary  
Federal Communications Commission  
Portals II, TW-A325, 445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Petition for Rule Making  
Reply Comments for Altus, Oklahoma

Dear Ms. Salas:

Enclosed is an original and four (4) copies of my Reply Comments for  
Altus, Oklahoma.

Respectfully Submitted,



Katherine Pyeatt  
6655 Aintree Circle  
Dallas, TX 75214  
(214) 363-6030 Tele

AAltusReply

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

In the Matter of	)	
	)	
Amendment of 73.202 (b)	)	MM Docket No. 01-137
Table of Allotments	)	RM – 10156
FM Broadcast Stations	)	
(Altus, Oklahoma)	)	

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

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**REPLY COMMENTS OF KATHERINE PYEATT**

I, Katherine Pyeatt, hereby respectfully submit this Reply to Comments filed by First Broadcasting Company, L.P., Next Media Licensing, Inc., Rawhide Radio, L.L.C., Capstar TX L.P. and Clear Channel Broadcasting Licenses, Inc. (“Joint Parties”), in the above captioned proceeding.

**DISCUSSION**

In their Comments, the Joint Parties urge that the proposed allotment be dismissed because it is “late filed to a pending rule making proceeding. See, e.g., Comfort, Texas, DA 01-1864 released August 3, 2001.” The problem with this assertion is that the Comfort, Texas decision is dramatically different from the instant case. In Comfort, the proposed allotment was mutually exclusive with an allotment (to Kerrville, Texas) which the Commission had adopted in 1999, some two years prior to the submission of the proposal for the Comfort allotment. While the Kerrville allotment had

not been entered into the Commission's database, the lapse did not alter the fact that the Kerrville channel had been properly and finally allotted through the Commission's rule making processes. See Kerrville, Texas, 14 FCC Rcd 9146 (1999).

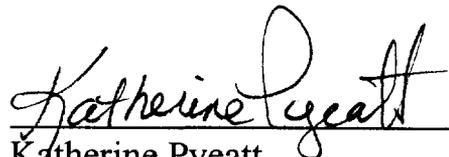
Here, by contrast, the supposedly inconsistent allotment (in Wellington, Texas) has not been adopted by the Commission. In fact, as the Joint Parties conceded, at the time the Altus proposal was submitted, the Wellington proposal had not even been entered into the Commission's database, see Joint Parties Comments at 1, much less subject to any public notice which might have put any party on notice of its pendency. It cannot be said that the decision in Comfort, Texas has any relevance to the instant proceeding.

### CONCLUSIONS

In view of the foregoing, I submit that the Joint Petitioners' assertion that the proposed Altus allotment should be dismissed is wrong. The Altus allotment can and should be adopted as proposed in the Notice of Proposed Rule Making.

The information provided in this Reply Comment is correct and true to the best of my knowledge.

Respectfully submitted



---

Katherine Pyeatt  
6655 Aintree Circle  
Dallas, TX 75214  
(214) 363-6030 Tele

## CERTIFICATE OF SERVICE

I, Katherine Pyeatt, hereby certify that on this 20<sup>th</sup> day of August, 2001, I caused copies of the foregoing "Reply Comments of Katherine Pyeatt" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

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Katherine Pyeatt