



Federal Communications Commission
Washington, D.C. 20554

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2001 AUG 28 P 3:52

August 28, 2001

Ms. Jeraldine Anderson
1702 Cypress Drive
Irving, Texas 75061

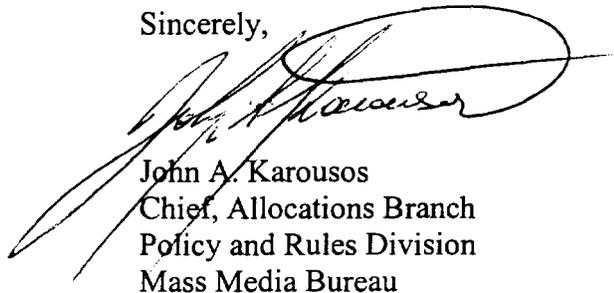
Dear Ms. Anderson:

This is in response to the petition for rule making you filed on July 26, 2001, requesting the allotment of Channel 277A at Gustine, Texas, as the community's first local aural transmission service.

We have reviewed your proposal and find that it is unacceptable for consideration at this time. Because our engineering analysis has revealed that your proposed site at coordinates 31-51-00 NL and 98-26-00 WL inadvertently conflicts with your proposal to allot Channel 280A at Comanche, Texas, you have requested that we return your petition. See Notice of Proposed Rule Making, 16 FCC Rcd ____ (released August 10, 2001).

Pursuant to your request, we are returning your petition for rule making. You may refile your petition, provided that your proposal meets all of the minimum spacing requirements of Section 73.207 of the Commission's Rules.

Sincerely,



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

Enclosures

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

In the Matter of)
)
Amendment of 73.202 (b)) MM Docket No. _____
Table of Allotments)
FM Broadcast Stations)
(Gustine, TX))

To: John Karousos, Chief
Allocations Branch
Mass Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Jeraldine Anderson respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 277A at Gustine, Texas.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 277A to Gustine, Texas, as that community's first aural broadcast transmission service. Gustine is an incorporated city with a population of 499 people as of January 1, 1998 according to the Texas State Data Center. Gustine has its own mayor, Ken Huey, its own post office, its own school district, and a number of local churches.

Petition for Rule Making
Gustine, Texas
Page 2

Attached hereto is a channel study confirming that Channel 277A can be allocated to Gustine, Texas consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

Reference coordinates are:

31 51 00 N
98 26 00 W

Should this petition be granted, and Channel 277A be allotted to Gustine, Texas Petitioner will apply for Channel 277A, and after it is authorized, will promptly construct the new facility.

The information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Jeraldine Anderson
1702 Cypress Drive
Irving, Texas 75061
(972) 445-1523 Tele

July 23, 2001
Gustine

Gustine, Texas

MAPFM search of channel 277A6 (103.3 MHz), at N. 31 51 0, W. 98 26 0.

Searching Channel 277A6 (103.3 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	COMANCHE	TX	224	A	A	22.5	10.0	279.0ø	12.5
KKCN	BALLINGER	TX	276	C1	U	158.3	133.0	262.4ø	25.3
KKCN	BALLINGER	TX	276	C1	L	158.3	133.0	262.4ø	25.3
KSSM	COPPERAS COVE	TX	276	C3	U	96.0	89.0	156.7ø	7.0
KSSM	COPPERAS COVE	TX	276	C3	L	96.4	89.0	151.7ø	7.4
ALC	WACO	TX	277	A	R	126.5	115.0	106.3ø	11.5
ALC	ALLEN	TX	277	C	U	234.6	226.0	36.1ø	8.6
KESN	ALLEN	TX	277	C	C	234.7	226.0	36.1ø	8.7
KESN	ALLEN	TX	277	C	C	234.7	226.0	36.1ø	8.7
KWBU-F	WACO	TX	277	A	C	127.4	115.0	110.9ø	12.4
KWFS-F	WICHITA FALLS	TX	277	C1	L	227.2	200.0	357.4ø	27.2

Gustine, Texas Ch. 277A 3.16mv

