

Before the
Federal Communications Commission
 Washington, DC

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FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In the Matter of)
)
 Amendment of Section 73.202(b).)
 Table of Allotments.) RM-
 FM Broadcast Stations)
 (Cuthbert and Buena Vista, Georgia))

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Alaga Communications Corp., licensee of Station WMRZ, Cuthbert Georgia, by its attorney,
 hereby requests that the Commission amend the Table of Allotments as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Cuthbert, Georgia	264C3	----
Buena Vista, Georgia	—	264C3

In support thereof, the following is stated:

Alaga is requesting that the Commission modify the community of license of Station WMRZ from Cuthbert Georgia, to Buena Vista, Georgia. As seen in Attachment 1, Buena Vista is an incorporated city with a 2000 Census Bureau population of 1,664 persons. Buena Vista currently has allotted to it no other aural services.

The Commission will allow an allotment to be reassigned to a new community of license only where the new allotment is mutually exclusive with the current allotment, and the reallocation will result in a preferential arrangement of allotments. *See, e.g., Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990).* The Commission's has an

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established allotment criteria which was set forth initially in *Revision of FM Assignment Policies and Procedures*, 90 F.C.C.2d 88 (1982), which establishes the following allotment priorities:

- (1) first full-time aural service
- (2) second full-time aural service
- (3) first local service
- (4) other public interest matters

In order to determine whether a proposal will result in a preferential arrangement of allotments, the FCC compares the existing and proposed arrangement of allotments using the FM allotment priorities set forth in *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1992). *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870. ¶ 25 (1989).

In this case, the proposed allotment meets both criteria. The new allotment is mutually-exclusive with the existing Cuthbert allotment, *and* the proposed allotment will result in a preferential arrangement of allotments. Specifically, Cuthbert already is served by an existing aural service, Station WCUG(AM), Cuthbert, Georgia, while Buena Vista, Georgia has no stations or allotments assigned to the community. Accordingly, when comparing the two communities, while Buena Vista is preferred under Priority (3), Cuthbert only is entitled to consideration under Priority (4). Since grant of this proposal will allow Buena Vista to receive its first local service, grant of this proposal is appropriate.

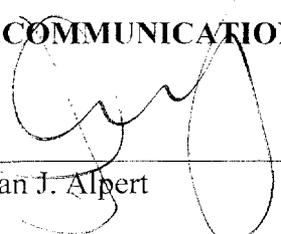
As seen in the Engineering Statement attached hereto as Attachment 2, the area that WMRZ no longer will serve is well served by more than five other full-time aural facilities.

In the event WMRZ, Channel 264C3 is reallocated from Cuthbert to Buena Vista, Alaga will promptly file an application for a construction permit to modify Station WMRZ.

Accordingly, Alaga Communications Corp. respectfully requests that this Petition be adopted, that the Commission amend the FM Table of Allotments to reallocate Channel 264C2 from Cuthbert, Georgia to Buena Vista, Georgia, as requested herein.

Respectfully submitted,

ALAGA COMMUNICATIONS CORP.

By: 

Dan J. Alpert

Its Attorney

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703-243-8690

October 24, 2001

ATTACHMENT 1


U.S. Census Bureau

American Factfinder

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Quick Tables

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Rela

DP-1. Profile of General Demographic Characteristics: 2000
 Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data
 Geographic Area: **Buena Vista city, Georgia**

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see
<http://factfinder.census.gov/home/en/datanotes/expsf1u.htm>

Subject	Number	Percent
Total population	1,664	100.0
SEX AND AGE		
Male	837	50.3
Female	827	49.7
Under 5 years	120	7.2
5 to 9 years	162	9.7
10 to 14 years	129	7.8
15 to 19 years	144	8.7
20 to 24 years	160	9.6
25 to 34 years	227	13.6
35 to 44 years	227	13.6
45 to 54 years	162	9.7
55 to 59 years	70	4.2
60 to 64 years	48	2.9
65 to 74 years	109	6.6
75 to 84 years	78	4.7
85 years and over	28	1.7
Median age (years)	29.9	(X)
18 years and over	1,165	70.0
Male	570	34.3
Female	595	35.8
21 years and over	1,083	65.1
62 years and over	241	14.5
65 years and over	215	12.9
Male	78	4.7
Female	137	8.2
RACE		
One race	1,642	98.7
White	430	25.8
Black or African American	1,055	63.4
American Indian and Alaska Native	3	0.2
Asian	6	0.4
Asian Indian	3	0.2
Chinese	0	0.0
Filipino	0	0.0
Japanese	0	0.0
Korean	0	0.0
Vietnamese	0	0.0
Other Asian ¹	3	0.2
Native Hawaiian and Other Pacific Islander	5	0.3
Native Hawaiian	0	0.0
Guamanian or Chamorro	5	0.3
Samoan	0	0.0
Other Pacific Islander ²	0	0.0

ATTACHMENT 2

Petition for Rule Making

Channel 264C3 – 100.7 MHz

Buena Vista, Georgia

October 2001

This Technical Statement is filed on behalf of Alaga Communications Corp., proponent to reallocate WMRZ, Channel 264C3 from Cuthbert, Georgia to Buena Vista, Georgia. Exhibit #1 is an allocation study indicating that at the reference coordinates of North Latitude 32° 11' 57" and West Longitude 84° 35' 07", the spacing requirements of §73.207 are met or exceeded. From this location the community of Buena Vista will be served by the 70 dBu contour as seen in Exhibit #2.

Buena Vista is the county seat of Marion County, Georgia. There are no other AM, FM or television services allocated to Buena Vista or any community in this county. Buena Vista has a population of 1,664 persons and Marion County has a population of 7,144 persons according to the 2000 Census. From the reference coordinates, assuming a class maximum station, not allowing for terrain variation, 4,656.64 square kilometers would be served by this allotment. 47,511 persons reside within the 60 dBu contour of this allotment.

Cuthbert, Georgia has a population of 3,731 according to the 2000 Census. The 60 dBu contour of the licensed WMRZ facility at Cuthbert currently serves 40,641 persons within 4,717.24 square kilometers using the FCC's 50/50 curves.

Should Channel 264C3 be moved to Buena Vista, WCUG (AM) would still provide service to Cuthbert.

A study was conducted to analyze the area that is currently served by the WMRZ 60 dBu signal. All or part of this area is served by 22 other FM stations and 20 AM stations (See Exhibits 3A and 3B).

Neither Cuthbert nor Buena Vista is in an urbanized area. The 70 dBu contour from the proposed reference site at Buena Vista does not touch any urbanized area.

When Channel 264C3 is allotted to Buena Vista, Alaga Communications Corp. will file timely any paperwork necessary to move the facility and change the city of license.

All statements made herein are thought to be true and correct to the knowledge of the undersigned.



Clifton G. Moor
Bromo Communications, Inc.

October 24, 2001

Petition for Rule Making

Channel 264C3 – 100.7 MHz

Buena Vista, Georgia

October 2001

EXHIBIT #3 A

60 dBu FM Services to All/Part of WMRZ Licensed 60 dbu Area

WAGH	Fort Mitchell, AL	6 KW
WBBK	Blakely, GA	25
WBFA	Smiths, GA	6
WCGA	Columbus, GA	100
WDEC	Americus, GA	25
WEGC	Sasser, GA	1.5
WFXE	Columbus, GA	6
WFXF	Bainbridge, GA	100
WGSY	Phenix City, AL	6
WIOL	Eufaula, AL	39
WISK	Americus, GA	25
WIBZ	Abbeville, AL	3
WJIZ	Albany, GA	100
WKAK	Albany, GA	100
WKCN	Lumpkin, GA	50
WOOF	Dothan, AL	100
WRVX	Eufaula, AL	3
WSTH	Alexander City, AL	86
WTVY	Dothan, AL	100
WVRK	Columbus, GA	100
WZHT	Troy, AL	100
WZIQ	Smithville, GA	2.4

Petition for Rule Making

Channel 264C3 – 100.7 MHz

Buena Vista, Georgia

October 2001

EXHIBIT #3 B

0.5 mV/M AM Services to All/Part of WMRZ Licensed 60 dbu Area

WALG	Albany, GA	5 KW
WBBK	Blakely, GA	1
WBIL	Tuskegee, AL	0.5
WCUG	Cuthbert, GA	0.5
WDAK	Columbus, GA	5
WEAM	Columbus, GA	2.3
WGZS	Dothan, AL	1.6
WISK	Americus, GA	1.0
WJYZ	Albany, GA	5
WMAC	Macon, GA	50
WMLF	Columbus, GA	5
WMSP	Montgomery, AL	10
WOKS	Columbus, GA	1
WOOF	Dothan, AL	5
WOZK	Ozark, AL	1
WPNX	Phenix City, AL	4
WQLS	Ozark, AL	10
WRCG	Columbus, GA	5
WTBF	Troy, AL	5
WULA	Eufaula, AL	0.6

EXHIBIT #1
Petition for Rule Making
Channel 264C3 - 100.7 MHz
Buena Vista, Georgia

\$73.207 ALLOCATION STUDY

Searching from Reference Site
 Buena Vista Georgia

REFERENCE
 32 11 57 N
 84 35 07 W

CLASS = C3
 Current Spacings

DISPLAY DATES
 DATA 10-12-01
 SEARCH 10-22-01

----- Channel 264 - 100.7 MHz -----

Call	Channel	Location		Dist	Azi	FCC	Margin
WMRZ	LIC 264C3	Cuthbert	IA	42.39	225.2	153.0	-110.61
WPGA FM	LIC 265A	Perry	GA	89.04	63.3	89.0	0.04
WCJFM	CP 265A	West Point	GA	89.04	324.7	89.0	0.04
WCJFM	LIC 265A	West Point	GA	94.14	325.5	89.0	5.14
RADD	ADD 263A	Auburn	AL	95.41	298.3	89.0	6.41
RADD	ADD 263A	Auburn	AL	95.41	298.3	89.0	6.41
RADD	ADD 263A	Auburn	AL	95.41	298.3	89.0	6.41
RADD	ADD 263A	Auburn	AL	95.41	298.3	89.0	6.41
RADD	ADD 264C3	Covington	GA	161.33	28.3	153.0	8.33
RADD	ADD 264C3	Social Circle	GA	163.15	28.2	153.0	10.15
WGSY	LIC 261A	Phenix City	AL	53.00	311.1	42.0	11.00
RADD	ADD 264A	Haddock	GA	153.33	47.2	142.0	11.33
WBFA	LIC 267A	Smiths	GA	57.91	296.0	42.0	15.91
WOBB	LIC 262C	Tifton	GA	116.07	137.2	96.0	20.07
RADD	ADD 264A	Ashland	AL	162.41	314.7	142.0	20.41
RDEL	DEL 264A	Milledgeville	GA	163.45	51.1	142.0	21.45
WLRR	LIC 264A	Milledgeville	GA	163.45	51.1	142.0	21.45
RDEL	DEL 264A	Milledgeville	GA	163.45	51.1	142.0	21.45
WWWQ	LIC 263C	Anniston	AL	199.95	322.9	176.0	23.95
RDEL	DEL 263C	Anniston	AL	199.95	322.9	176.0	23.95
ALLO	VAC 263C2	Anniston	AL	143.08	0.6	117.0	26.08
WTGAFM	LIC 266A	Thomaston	GA	75.29	11.8	42.0	33.29
WOKL	LIC 264C3	Midway	FL	191.38	171.4	153.0	38.38
WXUS	LIC 263A	Fort Rucker	AL	135.89	224.8	89.0	46.89
WWWQ.A	APP 263C2	College Park	GA	173.99	6.0	117.0	56.99

Bromo Communications, Inc.

Atlanta, Georgia
 October 2001

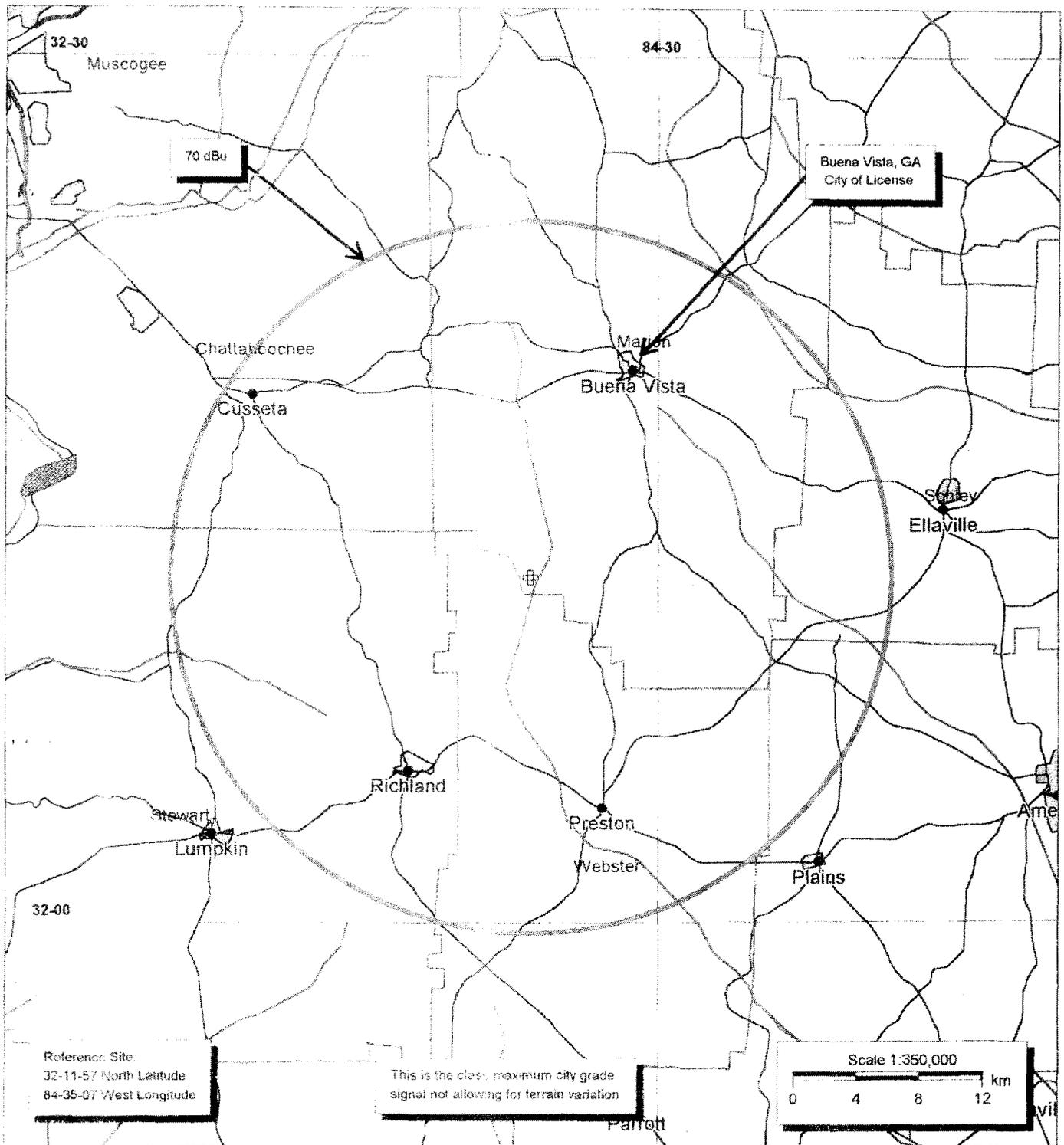


EXHIBIT #2
CITY GRADE CONTOUR
Petition for Rule Making
Channel 264C3 - 100.7 MHz
Buena Vista, Georgia

Bromo Communications, Inc.
 Atlanta, Georgia
 October 2001