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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations.)
(Quannah, Archer City, Converse, Flatonia,)
Georgetown, Ingram, Keller, Knox City,)
Lakeway, Lago Vista, Llano, McQueeney,)
Nolanville, San Antonio, Seymour, Waco and)
Wellington, Texas, and Ardmore, Durant,)
Elk City, Healdton, Lawton and Purcell,)
Oklahoma.))

MM Docket No. 00-148
RM-9939
RM-10198

RESPONSE TO REQUEST FOR SUPPLEMENTAL INFORMATION

First Broadcasting Company, L.P., Next Media Licensing, Inc., Rawhide Radio, L.L.C., Capstar TX Limited Partnership, and Clear Channel Broadcast Licenses, Inc. ("Joint Parties") hereby file this response to the Commission's Request for Supplemental Information ("Request"), released September 28, 2001, in the above-captioned proceeding. In support hereof, the Joint Parties state as follows:

1. The Commission issued the Request because of an apparent error in the specification of the transmitter site for one of the allotments the Joint Parties proposed in their counterproposal. The Joint Parties had proposed to delete Channel 248C at Waco, Texas and allot Channel 247C1 at Lakeway, Texas for use by Station KWTX. The coordinates specified in the Joint Parties' Counterproposal were 30-18-27 North Latitude, 97-46-46 West Longitude, which are on land at the edge of the Colorado River.¹

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PAGE

¹ These coordinates specify a site that is on land, not in the water as the Commission suggests. As shown in the attached map, the exact coordinates 30-18-26.51 North

2. However, the Joint Parties erroneously reported the specific coordinates at which the Lakeway allotment should be made. The actual transmitter site the Joint Parties intended to specify is located at 30-18-29 North Latitude, 97-46-48 West Longitude. This transmitter reference point is located well away from the Colorado River, and is suitable for tower construction. *See* Supplemental Exhibit 2. From this point, the Lakeway allotment can be made in compliance with the Commission's spacing rules. *See* Exhibit E, Figure 37A attached hereto (replacing the original Exhibit E, Figure 37 accompanying the Joint Parties' counterproposal).

3. This minuscule error, while regrettable, is not a defect in the Joint Parties' counterproposal, and the cases cited by the Commission are inapposite. It is not a defect for two reasons. First, the magnitude of the error falls below the threshold at which Commission review is necessary. The discrepancy between the reported coordinates and the actual coordinates is only two seconds of longitude and two seconds of latitude. Licensees do not even need FCC authorization to make corrective changes to their transmitter site coordinates when the changes are that small. *See* 47 C.F.R. § 73.1690(c)(11) (2001) (a correction of geographic coordinates of less than 3 seconds in both latitude and longitude may be made without prior authorization).² Since licensees are granted flexibility to correct errors of up to three seconds, rule making proponents should be held to the same standard. Indeed, after the rule making proposal has been granted, the licensee could file an application for the Lakeway station using the same erroneous coordinates specified in the counterproposal, and then correct the coordinates without Commission authorization.

Latitude, 97-46-46.49 West Longitude are on land. *See* Supplemental Exhibit 1. These coordinates, rounded to the nearest second, are the coordinates specified in the counterproposal.

² This rule requires that the corrected coordinates not create any new short spacings or worsen any existing short spacings, a condition that is met here.

4. The second reason that the erroneous coordinates for the Lakeway allotment do not constitute a defect in the Joint Parties' counterproposal is that in allotment proceedings, the Commission requires only "the reasonable expectation that a useable site is available complying with the minimum spacing requirements."³ Thus, even if the particular coordinates exhibited by the Joint Parties turn out not to be available as a transmitter site, the proposed allotment is not defective as long as a fully spaced site is reasonably likely to be available.⁴ In this case there is ample assurance that a fully spaced transmitter site is available. The attached map shows the existence of a large area in which a transmitter can be located in compliance with the spacing rules, and the 70 dBu contour can be placed over Lakeway. *See* Supplemental Exhibit 3. The area contains at least one existing transmitter tower, currently leased to one of the Joint Parties (Clear Channel), at which a transmitter site could be located. *See* Supplemental Exhibit 3. The accompanying channel spacing study shows that this transmitter site would comply with the Commission's spacing rules. *See* Exhibit E, Figure 37B. The tower owner, American Tower Services, has provided a statement that constitutes reasonable assurance for the use of its tower in the non-short spaced area. *See* attached statement and engineering narrative.

5. This case is similar to *Moncks Corner, Kiawah Island, and Sampit, South Carolina*, 15 FCC Rcd 8973 (2000). There, the Commission had initially denied the allotment of Channel 288C2 at Kiawah Island because the proposed site was in a marsh. On reconsideration, however, the proponent suggested a new site more than five miles away from its original site.

³ *San Clemente, California*, 3 FCC Rcd 6728 (1988), *appeal dismissed sub. nom. Mount Wilson FM Broadcasters, Inc. v. FCC*, 884 F2d 1462 (D.C. Cir. 1989).

⁴ *See id.* (allotment with no fully spaced reference site was properly made because at the time of the allotment there was a reasonable likelihood that such a site would be available). *See also Brightwood, Oregon, et al.*, DA 01-2484 (rel. Oct. 26, 2001) (counterproposal was not defective for failure to provide community coverage from specific reference site because there were many possible fully spaced sites from which community coverage could be achieved).

Rejecting a charge that the modified site constituted an untimely counterproposal, the Commission held that the modification was simply an “adjustment” to the original proposal. 15 FCC Rcd at 8977. Similar results were reached in *Randolph and Brandon, Vermont*, 6 FCC Rcd 1760 (1991) (original reference coordinates were in a swamp; allotment made at alternate coordinates); *Rockport, Texas, et al.*, 4 FCC Rcd 8075 (1989) (original reference coordinates were in the water; allotment made at alternate coordinates 16.5 miles away). More recently, in *Brightwood, Oregon, et al.*, DA 01-2484 (rel. Oct. 26, 2001) the Commission granted a counterproposal to allot Channel 251C1 at Madras, Oregon despite potential defects in the counterproponent’s original reference site, since the counterproponent had shown, as here, that there were many fully spaced possible transmitter sites.

6. The cases cited by the Commission in the Request are simply inapplicable here. The Commission states that counterproposals must comply with all Commission technical requirements, citing *Broken Arrow and Bixby, Oklahoma, and Coffeyville, Kansas*, 3 FCC Rcd 6507 (1988). In that case, however, the proposed allotment was defective because it violated Section 73.315(a), the community coverage rule. Here, no such rule is violated. Indeed, as discussed above, the Commission’s Rules explicitly countenance minor corrections to coordinates without prior Commission approval. Moreover, the rule of *Broken Arrow* “do[es] not absolutely prohibit minor curative amendments.” *Boalsburg, Pennsylvania, et al.*, 7 FCC Rcd 7653, 7654 n.7 (1992). Thus, even if the discrepancy in the coordinates for Lakeway constituted a defect, which it does not, the Commission may accept a late-filed cure, especially where, as

here, the acceptance of a cure would not require the denial of any other proposal in this proceeding.⁵

7. The Commission also cites *Grand View, Idaho*, 15 FCC Rcd 2768 (2000) and *Cusseta, Georgia*, 6 FCC Rcd 7437 (1991), in which allotment proposals were denied because a transmitter site was unavailable. However, in each of those cases, when the issue of the potential unavailability of the proponent's transmitter site was raised, the proponent neither rebutted the evidence of unavailability nor demonstrated the existence of an alternative site.⁶ Here, the Joint Parties have done both. As shown above, the originally specified site is on land. Moreover, the intended site, within three seconds of latitude and three seconds of longitude of the original coordinates – close enough that a licensee can correct without Commission authorization – is potentially available and clearly suitable for construction of a tower. Still further, there is a large area in which a fully spaced transmitter site can be located, and that area contains at least one existing tower with space available.

8. For the foregoing reasons, the Commission should expeditiously grant the Joint Parties' counterproposal in this proceeding. The allotment of Channel 247C1 at Lakeway, Texas fully complies with the Commission's Rules. There should be no doubt that the Lakeway proposal has many options for a transmitter site and can be implemented in accordance with the Commission's allotment rules. Grant of the counterproposal is in the public interest because it

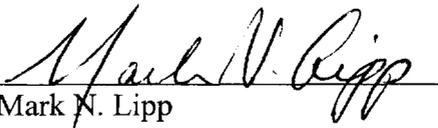
⁵ See *Boalsburg, Pennsylvania, supra*; cf. *Detroit, Texas et al.*, 13 FCC Rcd 15591 (acceptance of late-filed cure would have prejudiced a mutually exclusive proposal in the proceeding).

⁶ Indeed, it appears that in both cases, the entire area-to-locate was unavailable for construction of a transmitter tower, unlike the situation with respect to the Lakeway allotment.

will provide increased service and new first local service to a number of communities as described therein.

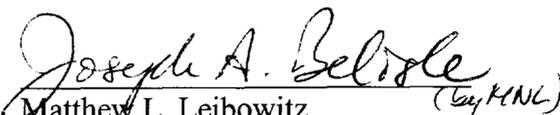
Respectfully submitted,

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RAWHIDE RADIO L.L.C.

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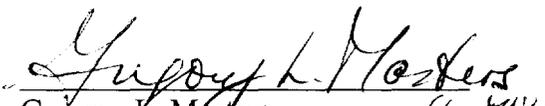
Their Counsel

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November 13, 2001

Engineering Statement

In Support of a

Supplement

MM Docket 00-148

First Broadcasting Company, L.P.

Next Media Licensing, Inc.

Capstar TX Limited Partnership

Rawhide Radio, LLC

Clear Channel Broadcasting Licenses, Inc.

General

The instant supplement was prepared for First Broadcasting Company, L.P. ("First") and Next Media Licensing, Inc. ("Next"), licensee of KLAK, channel 248C2, Durant, Oklahoma, Capstar TX Limited Partnership, licensee of various stations in the counterproposal, Rawhide Radio, LLC, licensee of KVCQ, channel 249C1, McQueeney, Texas, and Clear Channel Broadcasting Licenses, Inc., licensee of KAJA, channel 247C, San Antonio, Texas. The above named petitioners are referred herein as The Joint Parties. It is prepared and submitted in response to a Request for Supplemental Information (DA 01-2238). In that Request the Commission asks for clarification as to how the proposed channel 247C1 at Lakeway, Texas (KWTX) can be used.

Methods

All searches were performed on a V-Soft SearchFM program and verified with the EDX FMSR search program. The studies were based on the latest technical data from the Commission's databases. Mapping, population counts, and gain/loss areas were conducted using a professional mapping program from MapInfo Corporation, Version 5.5. The program contains the exact community boundaries of the relevant city (Lakeway, Texas).

Discussions and Solutions

After receiving the Commission's Request for Supplemental Information ("Request"), The Joint Parties conducted an additional study of the reference coordinates for the allocation of channel 247C1 at Lakeway. It was established that the allotment reference coordinates appeared to be centered on a point that is 27.4 meters (90 feet) from the edge of Lake Austin. However, upon further review, using the inherent tolerance in the Commission's rounding of coordinates to the nearest second, there is a site on dry land at the same coordinates (to the nearest second of latitude and longitude). In addition, it was also discovered that the allotment coordinates for channel 247C1 at Lakeway (North Latitude 30-18-27; West Longitude 97-46-46) were incorrectly recorded in The Joint Parties' counterproposal. The incorrect coordinates were subsequently used throughout the remainder of the counterproposal. However, there is flexibility in the reporting of the allotment coordinates at Lakeway primarily due to three factors. These factors are discussed below independently.

1) The Proposed Site is Actually on Dry Land

Because the FCC rounds coordinates to the nearest second (when dealing with radio), the one-second tolerance that allows the location of the allocation site places the coordinates on dry land (North Latitude 30-18-26.51; West Longitude 97-46-46.49). Because the proposed allocation coordinates are technically on dry land, the concern about the proposed site being in Lake Austin is moot.

2) Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules

In MM Docket 98-93, the Commission established a method of correcting geographic coordinates where the change is less than three seconds latitude and three seconds

longitude. Here, the correct allotment coordinates (North Latitude 30-18-29; West Longitude 97-46-48) are within the parameters allowed by the Commission in the modification of §73.1690(c)(11). A further discussion of this section is made in the legal section of the instant supplement.

3) Numerous Tower Sites are Available

The Joint Parties reference coordinates are not the only coordinates available for the allotment and ultimate antenna site for channel 247C1 at Lakeway. In fact, the allotment window covers 4,074 square kilometers (1.007 million acres). Inside this area are numerous towers that are available to KWTX for an antenna location. American Tower Systems has confirmed in an e-mail (attached) that there is space available on one of those towers. Therefore, despite the typographical error of the Joint Parties' recording of the reference coordinates, many usable locations for channel 247C1 at Lakeway exist.

Exhibits Explained

Supplemental Exhibit 1 is a portion of the Austin West, Texas USGS 7.5-minute quadrangle map. The squares around the coordinates demonstrate the tolerance provided by rounding coordinates to the nearest second. With these tolerances in place, this exhibit clearly shows that it is allowable for the originally specified coordinates to be on dry land. Supplemental Exhibit 2 also shows a portion of the Austin West, Texas USGS 7.5-minute quadrangle map. It shows the previous coordinates and the corrected coordinates for channel 247C1 at Lakeway. The corrected coordinates are clearly on dry land and, as a result, are usable for the construction of a guyed tower. As stated previously, these coordinates are in compliance with the revised Rules in §73.1690(c)(11). Supplemental Exhibit 3 is an allocation window for channel 247C1 at

Lakeway that shows the limits from existing and proposed facilities. This is the area referred to earlier that encompasses 40,074 square kilometers (1.007 million acres). In addition, the map also includes the corrected allotment coordinates and the coordinates of an existing tower for use by KWTX. (The distance between the corrected allotment coordinates and the KASE site is 2.44 kilometers.)

The corrected allocation study for channel 247C1 at Lakeway is shown as Exhibit E, Figure 37A. It shows no short spacing will exist after the coordinates are corrected. In fact, after all the spectrum modifications proposed in the Joint Parties' counterproposal, the closest spaced facility is the addition of channel 249A at Nolanville, Texas (14.18 kilometers clear). Exhibit E, Figure 37B is an allocation study for channel 247C1 at Lakeway using the KASE tower as reference. It too demonstrates no short spacing is created with this channel allotment reference. Once again, the closest spacing concern is channel 249A at Nolanville (13.42 kilometers clear). Exhibit E, Figure 38A is a hypothetical class C1 70 dBu contour that demonstrates 100% coverage of the community of Lakeway.

Conclusion

The Joint Parties have demonstrated that the inadvertent reference coordinates error for the allocation of channel 247C1 at Lakeway, Texas is resolvable within the Rules set forth by the Commission. First, by utilizing the lenience that rounding to the nearest second provides, The Joint Parties show that their proposed site is, in fact, on dry land. Second, the technical streamlining rules in MM Docket 98-93 §73.1690(c)(11) allow for the correction of coordinates within 3 seconds of latitude and 3 seconds of longitude, so long as no physical changes are needed and no new short spacing is created. That is the

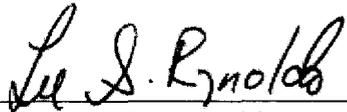
case here. The moves the reference coordinates from the water's edge and places the reference site on dry (and usable) land. Third, the instant studies have shown that there is ample space for a fully-spaced transmitter site, including an existing tower with space available for KWTX within 2.5 kilometers of the corrected allotment coordinates.

Statement of the Consultants

The instant engineering portion of a Request for Supplemental Information was prepared for First Broadcasting Co., L.P.; Next Media Licensing, Inc.; Capstar TX Limited Partnership; Rawhide Radio, LLC; and Clear Channel Broadcasting Licenses, Inc. ("The Joint Parties"). It was developed by Reynolds Technical Associates (RTA) and may not be used for purposes other than submission to the Commission by The Joint Parties.

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For Reynolds Technical Associates:



Lee S. Reynolds

November 13th, 2001

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**KWTX (AD247C1)
Lakeway, TX
Previous and Corrected
Reference Coordinates
Area of Tolerance**

**Corrected
AD247C1
Coordinates
30-18-29.49
97-46-48.49**

1" Latitude

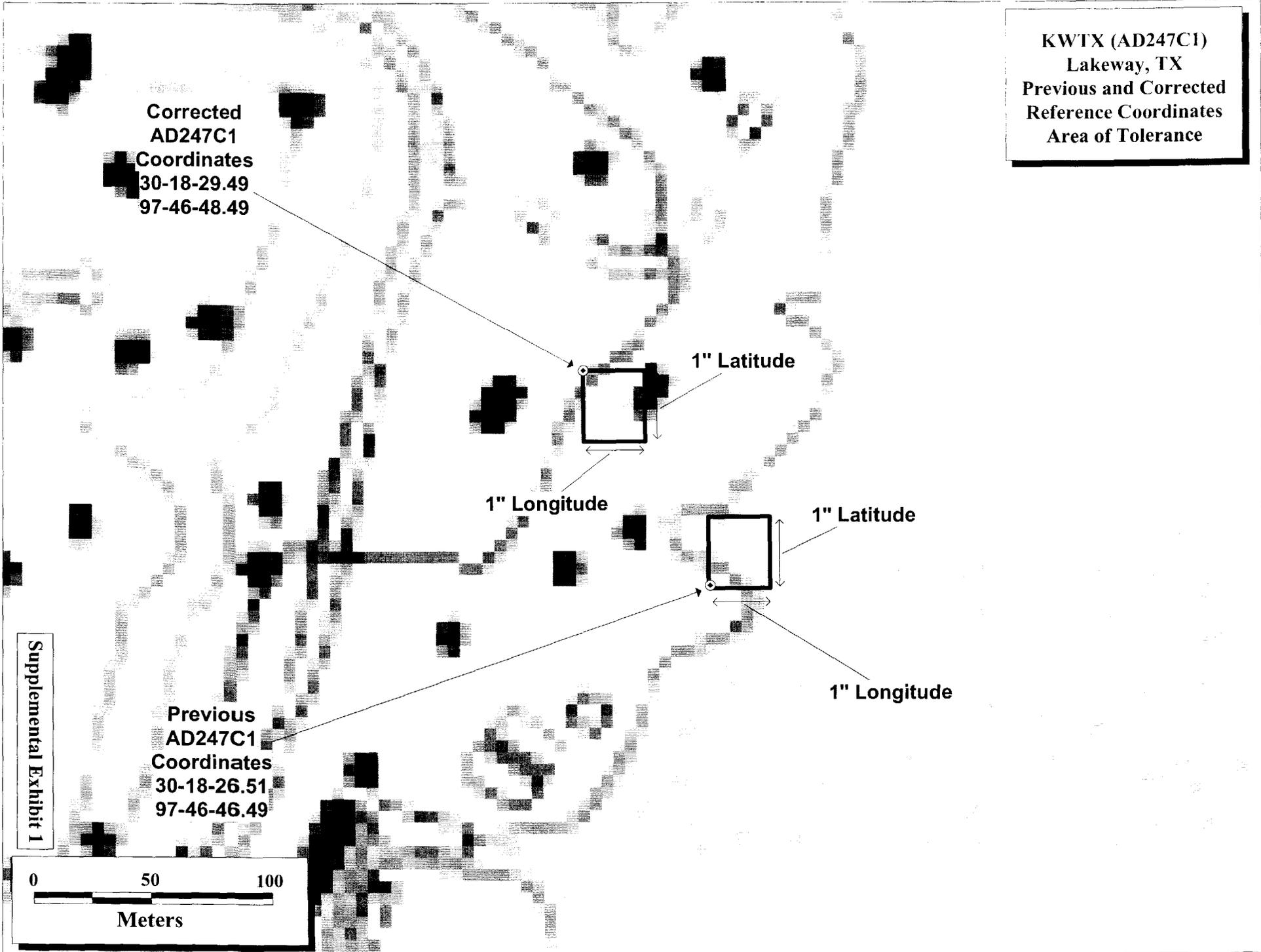
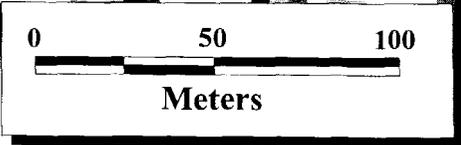
1" Longitude

1" Latitude

1" Longitude

**Previous
AD247C1
Coordinates
30-18-26.51
97-46-46.49**

Supplemental Exhibit 1

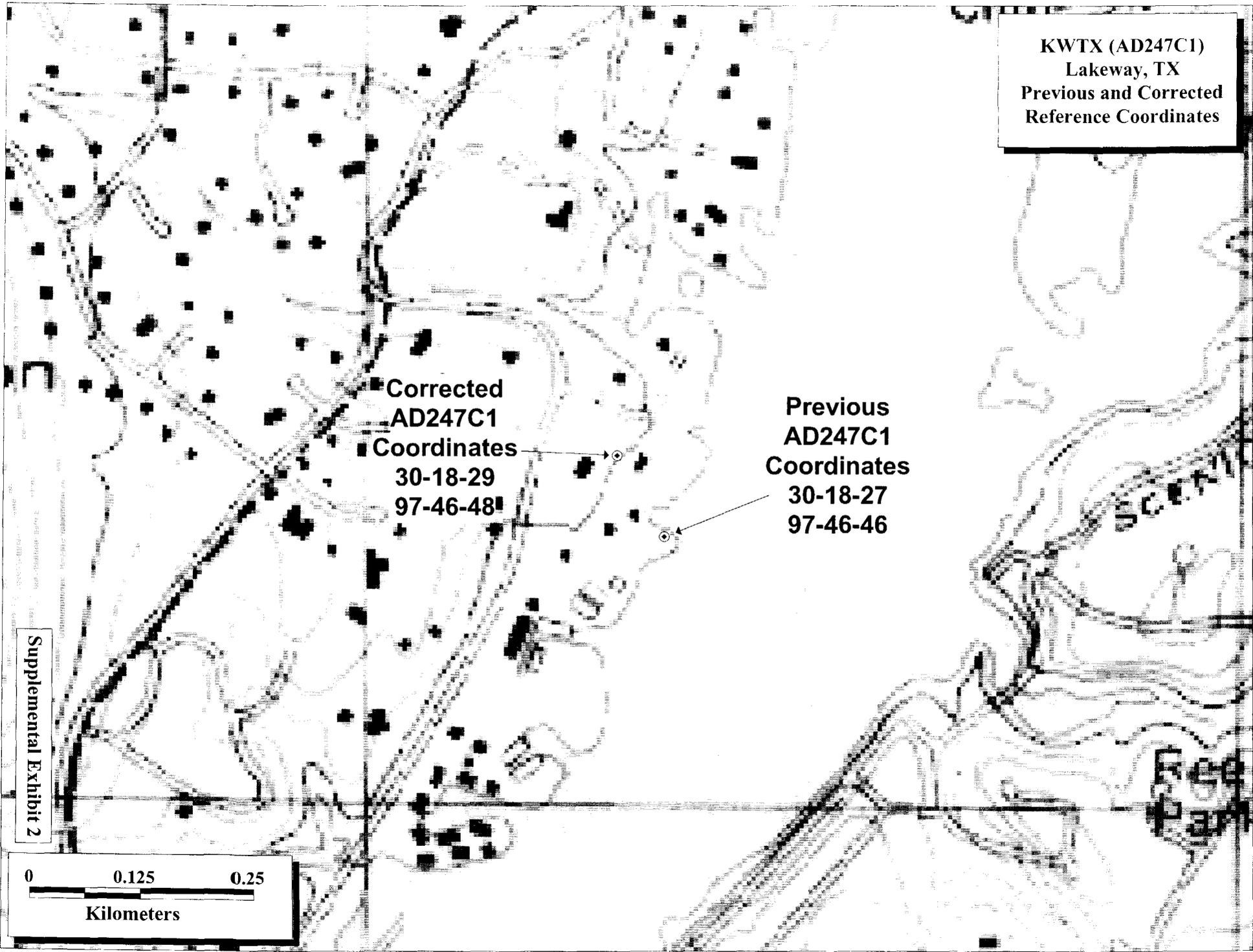
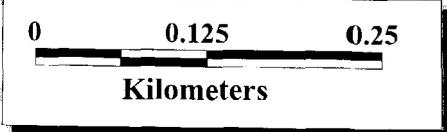


**KWTX (AD247C1)
Lakeway, TX
Previous and Corrected
Reference Coordinates**

**Corrected
AD247C1
Coordinates**
■ 30-18-29
■ 97-46-48

**Previous
AD247C1
Coordinates**
○ 30-18-27
○ 97-46-46

Supplemental Exhibit 2



**KWTX (AD247C1)
Lakeway, TX
Usable Area Window
Showing Spectrum Limiters**

City-Grade Contour
Distance From
Lakeway, TX

Proposed Allotment
Channel 249A
Nolanville, TX

Lakeway, TX
City Limits

Clear Channel
Station (KASE) AD247C1
30-19-10 30-18-29
97-48-06 97-46-48

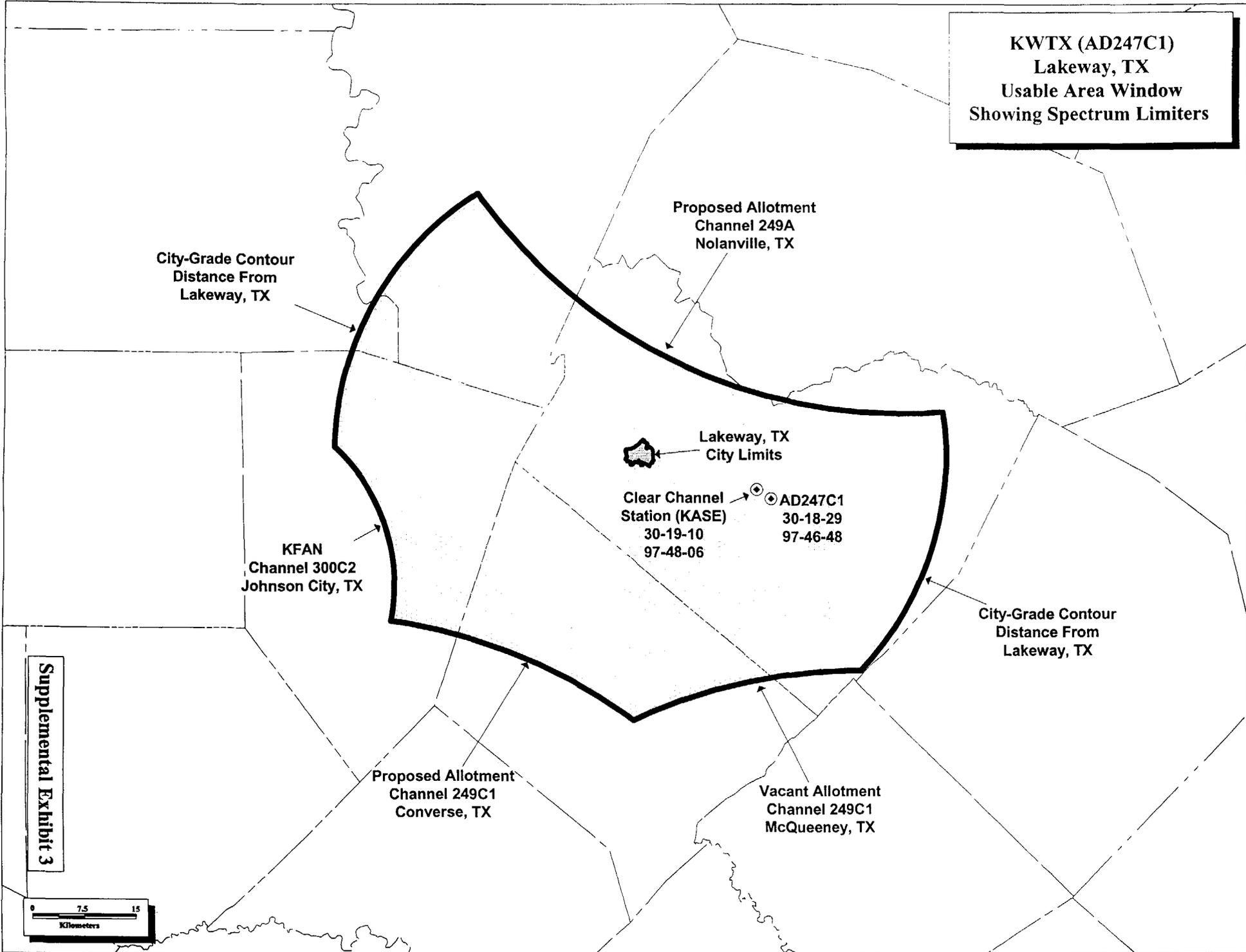
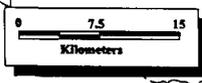
KFAN
Channel 300C2
Johnson City, TX

City-Grade Contour
Distance From
Lakeway, TX

Proposed Allotment
Channel 249C1
Converse, TX

Vacant Allotment
Channel 249C1
McQueeney, TX

Supplemental Exhibit 3



**Engineering Statement
In Support of
Supplemental Information**

**MM Docket 00-148
The Joint Petitioners**

Allocation Study – Channel 247C1, Lakeway, Texas (KWTX)

| | | | | | | | |
|--|-----------|-------------|------------------|--------|-------|---------------|----------|
| REFERENCE | | | | | | DISPLAY DATES | |
| 30 18 29 N | | | CLASS = C1 | | | DATA | 11-06-01 |
| 97 46 48 W | | | Current Spacings | | | SEARCH | 11-08-01 |
| ----- Channel 247 - 97.3 MHz ----- | | | | | | | |
| Call | Channel | Location | | Dist | Azi | FCC | Margin |
| ----- | | | | | | | |
| Community of | Lakeway | | TX | 21.34 | 288.1 | | |
| Reference Coordinates: | | | | | | | |
| North Latitude: 30-22-03 | | | | | | | |
| West Longitude: 97-59-28 | | | | | | | |
| RADD | ADD 247C1 | Lakeway | TX | 0.08 | 139.1 | 245.0 | -244.92 |
| Of No Concern: | | | | | | | |
| Coordinates being modified in | | | | | | | |
| Instant allocation study | | | | | | | |
| RDEL | DEL 248C | Waco | TX | 0.08 | 139.1 | 209.0 | -208.92 |
| Of No Concern: | | | | | | | |
| Error in database | | | | | | | |
| Channel 248C at Waco was never at these coordinates | | | | | | | |
| KAJA | LIC 247C | San Antonio | TX | 125.95 | 226.4 | 270.0 | -144.05 |
| RDEL | DEL 247C | San Antonio | TX | 131.56 | 227.2 | 270.0 | -138.44 |
| Of no concern: | | | | | | | |
| Substitution of channel 245C1 proposed in | | | | | | | |
| Instant counterproposal at 29-30-14/98-46-56 | | | | | | | |
| (See AD245C1 at San Antonio below) | | | | | | | |
| KWTXFM LIC | 248C | Waco | TX | 120.85 | 21.3 | 209.0 | -88.15 |
| KWTXFM LIC | 248C | Waco | TX | 122.66 | 21.3 | 209.0 | -86.34 |
| KWTXFM CP | 248C | Waco | TX | 122.70 | 21.3 | 209.0 | -86.30 |
| Of no concern: | | | | | | | |
| Licensed site of KWTX before proposed | | | | | | | |
| Deletion at Waco and allotment to Lakeway on channel 247C1 | | | | | | | |
| Proposed in instant counterproposal | | | | | | | |
| KHFIFM LIC | 244C1 | Georgetown | TX | 2.55 | 308.2 | 82.0 | -79.45 |
| RDEL | DEL 244C1 | Georgetown | TX | 19.12 | 328.6 | 82.0 | -62.88 |
| Of no concern: | | | | | | | |
| Channel deleted and channel 243C2 at Lago Vista, TX | | | | | | | |
| Proposed in instant counterproposal | | | | | | | |
| KVCQ | LIC 249C3 | Mcqueeney | TX | 21.34 | 288.1 | 76.0 | -54.66 |
| RADD | ADD 248C2 | Marlin | TX | 111.53 | 32.1 | 158.0 | -46.47 |
| Of no concern: | | | | | | | |
| Allotment proposed in option II of instant counterproposal | | | | | | | |

Continued on the next page

| | | | | | | | |
|------------------------------------|--|--------------|------------------|-----------|-------|-------|-----------------|
| REFERENCE | | | | | | | DISPLAY DATES |
| 30 18 29 N | | | CLASS = C1 | | | | DATA 11-06-01 |
| 97 46 48 W | | | Current Spacings | | | | SEARCH 11-08-01 |
| ----- Channel 247 - 97.3 MHz ----- | | | | | | | |
| Call | Channel | Location | | Dist | Azi | FCC | Margin |
| ----- | | | | | | | |
| RDEL | DEL 248C2 | Waco | | TX 144.93 | 22.4 | 158.0 | -13.07 |
| | Of no concern: | | | | | | |
| | Data entered incorrectly into Commission's database | | | | | | |
| RADD | ADD 249C2 | Luring | | TX 86.89 | 171.4 | 79.0 | 7.89 |
| | Of no concern: | | | | | | |
| | Channel deleted in MM Docket 98-198 | | | | | | |
| RADD | ADD 249A | Nolanville | | TX 89.18 | 12.2 | 75.0 | 14.18 |
| ALLO | RSV 249C1 | Mcqueeney | | TX 106.06 | 173.9 | 82.0 | 24.06 |
| KVCQ.A | APP 249C1 | Mcqueeney | | TX 107.45 | 173.1 | 82.0 | 25.45 |
| RDEL | DEL 249C1 | Mcqueeney | | TX 119.77 | 214.6 | 82.0 | 37.77 |
| RADD | ADD 249C1 | Converse | | TX 119.77 | 214.6 | 82.0 | 37.77 |
| RADD | ADD 249C1 | Converse | | TX 119.77 | 214.6 | 82.0 | 37.77 |
| RADD | ADD 245C1 | San Antonio | | TX 131.56 | 227.2 | 82.0 | 49.56 |
| | Of note: | | | | | | |
| | Channel proposed for KAJA in instant counterproposal | | | | | | |
| KEGL | LIC 246C | Fort Worth | | TX 264.37 | 16.7 | 209.0 | 55.37 |
| KFANFM | LIC 300C2 | Johnson City | | TX 83.55 | 261.7 | 27.0 | 56.55 |
| KTHT | LIC 246C | Cleveland | | TX 266.58 | 83.9 | 209.0 | 57.58 |
| ----- | | | | | | | |

**Engineering Statement
In Support of
Supplemental Information**

**MM Docket 00-148
The Joint Petitioners**

Allocation Study – Channel 247C1, Lakeway, Texas (KWTX) at KASE-FM Tower Site

| REFERENCE | CLASS = C1 | DISPLAY DATES | | | | |
|--|-------------------|--------------------|-----------|---------------|--------------|----------------------|
| 30 19 10 N | | DATA 11-06-01 | | | | |
| 97 48 06 W | Current Spacings | SEARCH 11-08-01 | | | | |
| ----- Channel 247 - 97.3 MHz ----- | | | | | | |
| Call | Channel | Location | Dist | Azi | FCC | Margin |
| ----- | | | | | | |
| Community of | Lakeway | | TX | 18.98 | 286.4 | |
| Reference Coordinates: | | | | | | |
| North Latitude: 30-22-03 | | | | | | |
| West Longitude: 97-59-28 | | | | | | |
| RADD | ADD 247C1 | Lakeway | TX | 2.51 | 121.9 | 245.0 -242.49 |
| Of No Concern: | | | | | | |
| Coordinates being modified in | | | | | | |
| Instant allocation study | | | | | | |
| RDEL | DEL 248C | Waco | TX | 2.51 | 121.9 | 209.0 -206.49 |
| Of No Concern: | | | | | | |
| Error in database | | | | | | |
| Channel 248C at Waco was never at these coordinates | | | | | | |
| KAJA | LIC 247C | San Antonio | TX | 125.33 | 225.3 | 270.0 -144.67 |
| RDEL | DEL 247C | San Antonio | TX | 130.91 | 226.2 | 270.0 -139.09 |
| Of no concern: | | | | | | |
| Substitution of channel 245C1 proposed in | | | | | | |
| Instant counterproposal at 29-30-14/98-46-56 | | | | | | |
| (See AD245C1 at San Antonio below) | | | | | | |
| KWTXFM LIC 248C | Waco | | TX | 120.46 | 22.5 | 209.0 -88.54 |
| KWTXFM LIC 248C | Waco | | TX | 122.26 | 22.4 | 209.0 -86.74 |
| KWTXFM CP 248C | Waco | | TX | 122.30 | 22.4 | 209.0 -86.70 |
| Of no concern: | | | | | | |
| Licensed site of KWTX before proposed | | | | | | |
| Deletion at Waco and allotment to Lakeway on channel 247C1 | | | | | | |
| Proposed in instant counterproposal | | | | | | |
| KHFIFM LIC 244C1 | Georgetown | | TX | 0.32 | 14.5 | 82.0 -81.68 |
| RDEL | DEL 244C1 | Georgetown | TX | 16.99 | 332.3 | 82.0 -65.01 |
| Of no concern: | | | | | | |
| Channel deleted and channel 243C2 at Lago Vista, TX | | | | | | |
| Proposed in instant counterproposal | | | | | | |

Continued on the next page

REFERENCE
30 19 10 N
97 48 06 W

CLASS = C1
Current Spacings

DISPLAY DATES
DATA 11-06-01
SEARCH 11-08-01

----- Channel 247 - 97.3 MHz -----

| Call | Channel | Location | | Dist | Azi | FCC | Margin |
|------|---------|----------|--|------|-----|-----|--------|
|------|---------|----------|--|------|-----|-----|--------|

| | | | | | | | |
|-------------|------------------|---------------|-----------|---------------|-------------|--------------|---------------|
| RADD | ADD 248C2 | Marlin | TX | 111.60 | 33.3 | 158.0 | -46.40 |
| RDEL | DEL 248C2 | Waco | TX | 144.58 | 23.4 | 158.0 | -13.42 |

Of no concern:

Allotment proposed in option II of instant counterproposal

| | | | | | | | |
|-------------|------------------|---------------|-----------|--------------|--------------|-------------|-------------|
| RADD | ADD 249C2 | Luring | TX | 88.47 | 170.2 | 79.0 | 9.47 |
|-------------|------------------|---------------|-----------|--------------|--------------|-------------|-------------|

Of no concern:

Channel deleted in MM Docket 98-198

| | | | | | | | |
|--------|-----------|------------|----|--------|-------|------|-------|
| RADD | ADD 249A | Nolanville | TX | 88.42 | 13.7 | 75.0 | 13.42 |
| ALLO | RSV 249C1 | Mcqueeney | TX | 107.55 | 172.9 | 82.0 | 25.55 |
| KVCQ.A | APP 249C1 | Mcqueeney | TX | 108.97 | 172.0 | 82.0 | 26.97 |
| RDEL | DEL 249C1 | Mcqueeney | TX | 119.65 | 213.5 | 82.0 | 37.65 |
| RADD | ADD 249C1 | Converse | TX | 119.65 | 213.5 | 82.0 | 37.65 |
| RADD | ADD 249C1 | Converse | TX | 119.65 | 213.5 | 82.0 | 37.65 |

| | | | | | | | |
|-------------|------------------|--------------------|-----------|---------------|--------------|-------------|--------------|
| RADD | ADD 245C1 | San Antonio | TX | 130.91 | 226.2 | 82.0 | 48.91 |
|-------------|------------------|--------------------|-----------|---------------|--------------|-------------|--------------|

Of note:

Channel proposed for KAJA in instant counterproposal

| | | | | | | | |
|--------|-----------|--------------|----|--------|-------|-------|-------|
| KFANFM | LIC 300C2 | Johnson City | TX | 81.68 | 260.6 | 27.0 | 54.68 |
| KEGL | LIC 246C | Fort Worth | TX | 263.77 | 17.2 | 209.0 | 54.77 |
| KTHT | LIC 246C | Cleveland | TX | 268.52 | 84.2 | 209.0 | 59.52 |
| RADD | ADD 249C3 | Mason | TX | 141.35 | 289.1 | 76.0 | 65.35 |

**KWTX (AD247C1)
Lakeway, TX
Modified Hypothetical
70 dBu Contour
The Joint Petitioners**

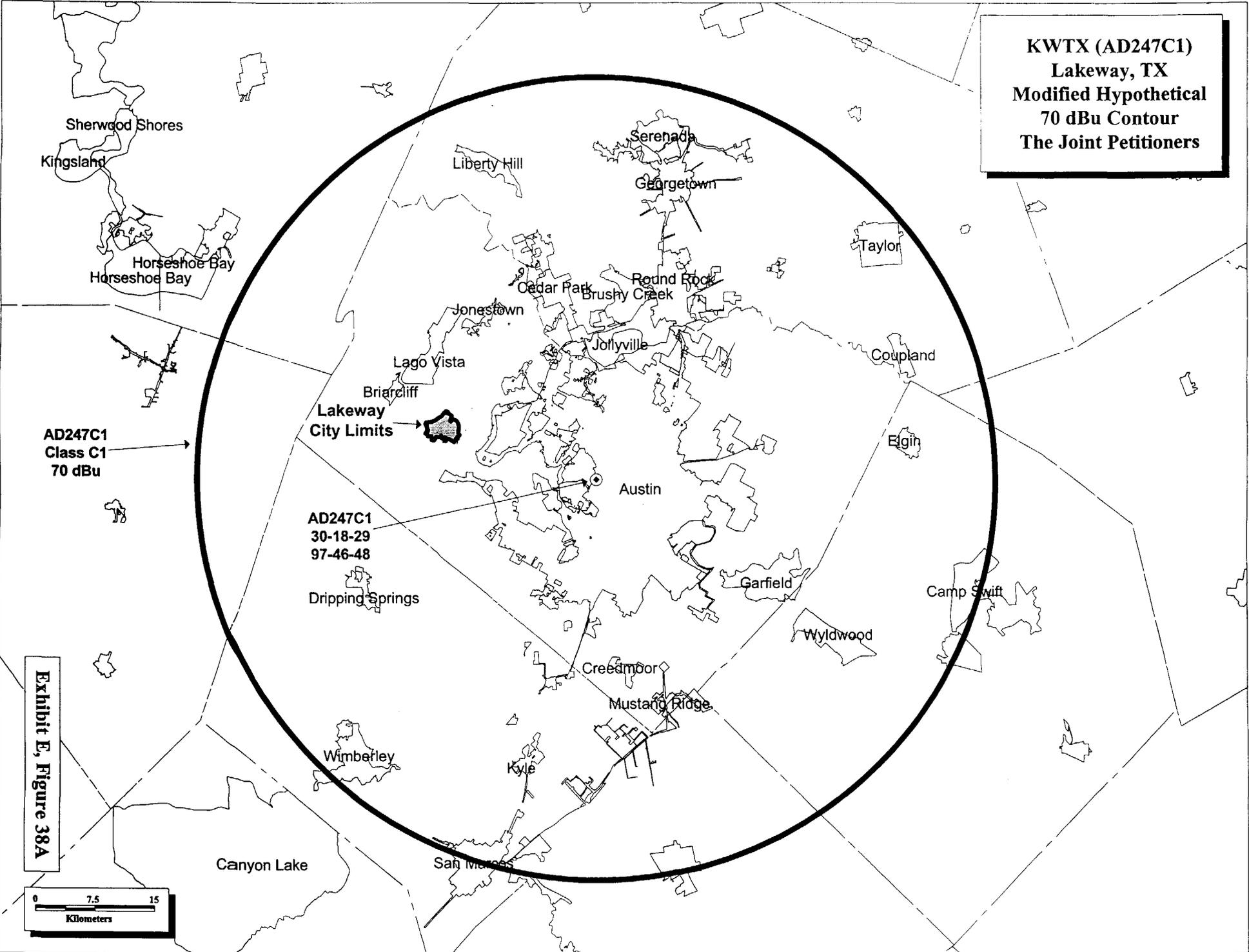
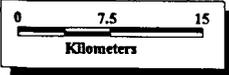


Exhibit E, Figure 38A



RE: KASE/KVET panel antenna

Lipp, Mark N.

From: Gary Hess [Gary.Hess@AmericanTower.com]
Sent: Monday, November 12, 2001 7:35 PM
To: 'Paul Reynolds '; Gary Hess
Cc: Bob Morgan; 'Jeff Littlejohn (E-mail) '; Lipp, Mark
Subject: RE: KASE/KVET panel antenna

Indeed, our existing FM broadband master antenna installed on our Austin tower (FCC registration # 1013180) does have the capacity to add additional FM stations.

Clear Channel Communications presently has in place with American Tower two leases to operate KVET FM and KASE FM from the Austin master FM antenna. Terms and conditions to operate additional FM carriers therefore would require negotiations.

Clear Channel Communications is welcome to file an application with the FCC for this facility.

Best regards
Gary Hess

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 November, 2001 caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Response to Request for Supplemental Information" to the following:

NationWide Radio Stations
Marie Drischel, General Partner
496 Country Road
Suite 308
Big Creek, MS 38914
(Petitioner)

Station KXOO
Paragon Communications, Inc.
P.O. Box 945
Elk City, OK 73648

Vincent A. Pepper, Esq.
Pepper & Corazzini, LLP
1776 K Street, NW
Suite 200
Washington, DC 20006
(Counsel to Windthorst Radio
Broadcasting Company)

Stations KGOK(FM) and KICM
AM & PM Broadcasting LLC
5946 Club Oaks Drive
Dallas, TX 75248

Station KRZB
Texas Grace Communications
P.O. Box 398
Wichita Falls, TX 76307

Robert L. Thompson, Esq.
Thiemann Aitken & Vohra, L. L.C.
908 King Street
Suite 300
Alexandria, VA 22314
(Counsel to AM & PM Broadcasting,
LLC)

Station KKAJ
Chuckie Broadcasting, Co.
Box 429
1205 Northglen
Ardmore, OK 73402

Station KSEY
Mark V. Aulabaugh
Box 471
Seymour, TX 76380

Timothy Brady, Esq.
P.O. Box 71309
Newnan, GA 30271-1309
(Counsel to Chuckie Broadcasting Co)

Station KLRK
KRZI, Inc.
1018 N. Valley Mill Drive
Waco, TX 76710

Lee Peltzman, Esq.
Shainis & Peltzman, Chartered
1850 M Street, NW
Suite 240
Washington, DC 20036
(Counsel to KRZI, Inc.)

Rawhide Radio, L.L.C.
1110 NASA Road One
Suite 501
Houston, TX 77058
(Licensee of KBAE)

Sheldon Broadcasting, Ltd.
P.O. Box 1996
Temple, TX 76502
(Licensee of KLFX)

Maurice Salsa
5615 Evergreen Valley Drive
Kingwood, TX 77345

Harry F. Cole
Fletcher, Heald & Hildreth
1300 N. 17th Street
11th Floor
Rosslyn, Virginia 22209

Gene A. Bechtel
9320 Wooden Bridge Road
Potomac, Maryland 20895
(Counsel to Elgin FM Limited Partnership
and Charles Crawford)


Lisa M. Balzer