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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 01-_____
Table of Allotments,)	RM-_____
FM Broadcast Stations.)	
(Jennings and Iowa, Louisiana))	

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Apex Broadcasting, Inc. ("Apex"), licensee of KJEF-FM, Channel 225C2, Jennings, Louisiana,¹ by its attorney, respectfully requests that the Commission amend Section 73.202(b) of the Commission's rules, by re-allocating Channel 225C2 from Jennings, Louisiana, to Iowa, Louisiana. The proposed allotment to Iowa is mutually exclusive with the present KJEF-FM allotment at Jennings, Louisiana. In support thereof, the following is shown:

Iowa, Louisiana, located in the extreme eastern portion of Calcasieu Parish, Louisiana, has a population of 2,663 persons. The city of Iowa is governed by a Mayor and five member Board of Alderman.² The city provides water, sewer and trash pickup service to its residents. Iowa has a volunteer Fire Department and an eight person Police Force. The city also has a local library and provides schools from first through twelfth grades for the children of Iowa. In addition, there are numerous businesses, churches and residential areas in Iowa. There are no

1 Apex also has an outstanding construction permit to make minor changes in the facilities of KJEF-FM (File No. BPH-20010129ADH).

2 Information about the City of Iowa, Louisiana, was furnished by Barbara Perry, Assistant City Clerk (337-582-3535).

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full-time aural services licensed to the community. Further, Iowa is not located in any Urbanized Area and is designated a city, as defined by the U.S. Census of Louisiana.

Channel 225C2 can be allotted to Iowa, Louisiana, with a site restriction of 16.7 kilometers south-southeast of the community to avoid shortspacing KQID-FM, Channel 226C, Alexandria, Louisiana. The reference site for the proposed allotment of Channel 225C2 at Iowa, Louisiana, is North Latitude 30° 05' 17" and West Longitude 93° 00' 05". As shown in the attached Technical Statement of Graham Brock, Inc., Apex's consulting engineering firm, Channel 225C2 meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities, with the exception of the licensed and authorized facilities of KJEF-FM.³ From the proposed reference site, a theoretical 3.16 mV/m (70 dBu) signal will be provided over Iowa. From the authorized KJEF-FM permit site, a 70 dBu contour is delivered to all of Iowa -- Apex anticipates specifying the KJEF-FM site for implementation of this proposed change in community of license.

The proposed allotment of Channel 225C2 to Iowa, Louisiana, will result in a preferential arrangement of allotments by providing that community with its first locally licensable station without depriving Jennings of its only local service -- full-time AM station KJEF, 1290 kHz, will remain licensed to Jennings. Also, a relocated KJEF-FM, operating on Channel 225C2 at Iowa, will provide 60 dBu (1.0 mV/m) service to 226,082 persons in 8,560.3 square kilometers.

³ According to the CDBS database, there is a proposed allotment of Channel 225A at Hemphill, Texas. The proposal was submitted by Linda Crawford on September 5, 2001. That request, however, fails to provide the requisite spacing clearances to the outstanding KJEF-FM permit, granted on May 31, 2001, several months prior to the submission of the Crawford request. A Petition to Dismiss the Crawford petition is being filed by Apex with the Commission today.

While the community of Iowa is not located in an Urbanized Area, as designated by the United States Census, the authorized KJEF-FM construction permit, and a maximum Class C2 from the proposed Iowa reference site, do provide coverage into Lake Charles, Louisiana. The authorized KJEF-FM permit provides 70 dBu coverage to 92.5% of the Lake Charles Urbanized Area. As shown in the Technical Statement, from the proposed reference site, only 84.9% of the Urbanized Area will receive 70 dBu service. The licensed KJEF-FM site does not provide 70 dBu coverage to the Lake Charles Urbanized Area. Because Apex will specify the authorized KJEF-FM permit site for the implementation of this change in community of license, no change in the coverage of the Urbanized Area will occur as a result of this petition.⁴

Once Channel 225C2 is allotted to Iowa, Louisiana, Apex will submit the required application to implement the change in community of license. While the proposed reference site is neither the present KJEF-FM licensed site nor the authorized KJEF-FM permit site⁵, Apex intends to specify the KJEF-FM construction permit site for the implementation of this proposal.⁶

For the reasons stated above, Apex requests the following changes in Section 73.202 of the Commission's rules.

Iowa, Louisiana	
Present	Proposed
None	225C2

4 Since no actual change in coverage over the Urbanized Area is expected, and the proposed community of Iowa is not located in the Lake Charles Urbanized Area, no Tuck analysis appears to be necessary.

5 It is not possible to specify the permit site as the reference site for this petition due to the shortspace to Station KQID-FM. The authorized KJEF-FM site was granted pursuant to Section 73.215 of the rules.

6 The theoretical loss and gain areas, based on the proposed reference site and the licensed KJEF-FM site, contain no white or gray areas as a result of this proposed change.

Jennings, Louisiana

Present
225C2

Proposed
None⁷

Respectfully submitted,

APEX BROADCASTING, INC.

By 
Erwin G. Krasnow

Verner, Liipfert, Bernhard,
McPherson and Hand
901 15th Street, N.W., Suite 700
Washington, DC 20005

Its Attorney

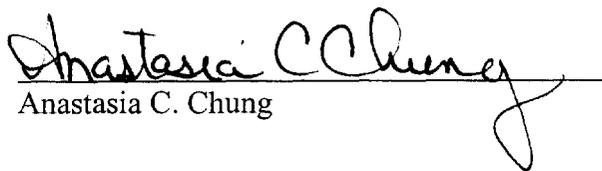
November 28, 2001

7) Full-time AM station KJEF, 1290 kHz, will remain licensed to Jennings, Louisiana.

CERTIFICATE OF SERVICE

This is to certify that I, Anastasia C. Chung, have filed the foregoing Petition to Rulemaking with the Federal Communications Commission on this 28th day of November, 2001, and that a copy has been served by way of U.S. mail, postage pre-paid, upon:

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554


Anastasia C. Chung

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

PETITION FOR RULE MAKING
APEX BROADCASTING, INC.
RE-ALLOT CHANNEL 225C2
IOWA, LOUISIANA
November 2001

TECHNICAL EXHIBIT

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PETITION FOR RULE MAKING
APEX BROADCASTING, INC.
RE-ALLOT CHANNEL 225C2
IOWA, LOUISIANA
November 2001

TECHNICAL STATEMENT

1. This technical statement and attached exhibits have been prepared on behalf of Apex Broadcasting, Inc. ("Apex"), licensee of KJEF-FM, Channel 225C2, Jennings, Louisiana.¹ Apex herein requests that Channel 225C2 be re-allotted from Jennings, Louisiana, to Iowa, Louisiana. The proposed allotment to Iowa is mutually exclusive with the present KJEF-FM allotment at Jennings, Louisiana.

DISCUSSION

2. The community of Iowa, Louisiana, is located in the extreme eastern portion of Calcasieu Parish, Louisiana. Iowa has a population of 2,663 persons. The city of Iowa is governed by a Mayor and five member Board of Alderman. The city provides water, sewer and trash pickup service to its residents. Iowa has a volunteer Fire Department and an eight man Police Force. The city also has a local library and provides schools from first through twelfth grades for the children of Iowa. There are numerous businesses, churches and residential areas in Iowa.² There are no full-time aural services licensed to the community. Further, Iowa is not located in any Urbanized Area and is designated a city, as defined by the U.S. Census of Louisiana.

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- 1) Apex also has an outstanding construction permit to make minor changes in the facilities of KJEF-FM, BPH-20010129ADH.
- 2) Information about the City of Iowa, Louisiana, was furnished by Barbara Perry, Assistant City Clerk (337-582-3535).

PROPOSAL

3. Channel 225C2 can be allotted to Iowa, Louisiana, with a site restriction of 16.7 kilometers south-southeast of the community to avoid shortspacing KQID-FM, Channel 226C, Alexandria, Louisiana. The reference site for the proposed allotment of Channel 225C2 at Iowa, Louisiana, is North Latitude 30° 05' 17" and West Longitude 93° 00' 05".

4. Attached as Exhibit #1 is a map depicting the area to locate a transmitter site for Channel 225C2 at Iowa, Louisiana. Further, attached as Exhibit #2 is a §73.207 spacing study demonstrating that Channel 225C2 meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities, with the exception of the licensed and authorized facilities of KJEF-FM.³ From the proposed reference site, a theoretical 3.16 mV/m (70 dBu) signal will be provided over Iowa. It is noted that from the authorized KJEF-FM permit site, a 70 dBu contour is delivered to all of Iowa.⁴

5. Therefore, Apex herein requests the following changes in §73.202 of the Commission's rules.

Iowa, Louisiana

Present	Proposed
None	225C2

-
- 3) According to the CDBS database, there is a proposed allotment of Channel 225A at Hemphill, Texas. The proposal was submitted by Linda Crawford on September 5, 2001. The Crawford request fails to provide the requisite spacing clearances to the outstanding KJEF-FM permit, granted on May 31, 2001, several months prior to the submission of the Crawford request. An objection to that petition is being submitted by Apex.
- 4) Apex anticipates specifying the KJEF-FM site for implementation of this proposed change in community of license.

Jennings, Louisiana

Present
225C2

Proposed
None⁵

PUBLIC INTEREST

6. The allotment of Channel 225C2 to Iowa, Louisiana, will provide that community with its first locally licensable station, without depriving Jennings of its only local service, since full-time AM station KJEF, 1290 kHz, will remain licensed to Jennings. A relocated KJEF-FM, operating on Channel 225C2 at Iowa, Louisiana, will provide 60 dBu (1.0 mV/m) service to 226,082 persons in 8,560.3 square kilometers. Once Channel 225C2 is allotted to Iowa, Louisiana, Apex will submit the required application to implement the change in community of license. While the proposed reference site is neither the present KJEF-FM licensed site nor the authorized KJEF-FM permit site⁶, Apex intends to specify the KJEF-FM construction permit site for the implementation of this proposal.⁷

7. While the community of Iowa is not located in an Urbanized Area, as designated by the United States Census, the authorized KJEF-FM construction permit, and a maximum Class C2 from the proposed Iowa reference site, do provide coverage into Lake Charles, Louisiana. The authorized KJEF-FM permit provides 70 dBu coverage to 92.5% of the Lake Charles

-
- 5) Full-time AM station KJEF, 1290 kHz, will remain licensed to Jennings, Louisiana.
- 6) It is not possible to specify the permit site as the reference site for this instant petition, due to the shortspace to station KQID-FM. The authorized KJEF-FM site was granted pursuant to §73.215 of the rules.
- 7) The theoretical loss and gain areas, based on the proposed reference site and the licensed KJEF-FM site, contain no white or gray areas as a result of this proposed change.

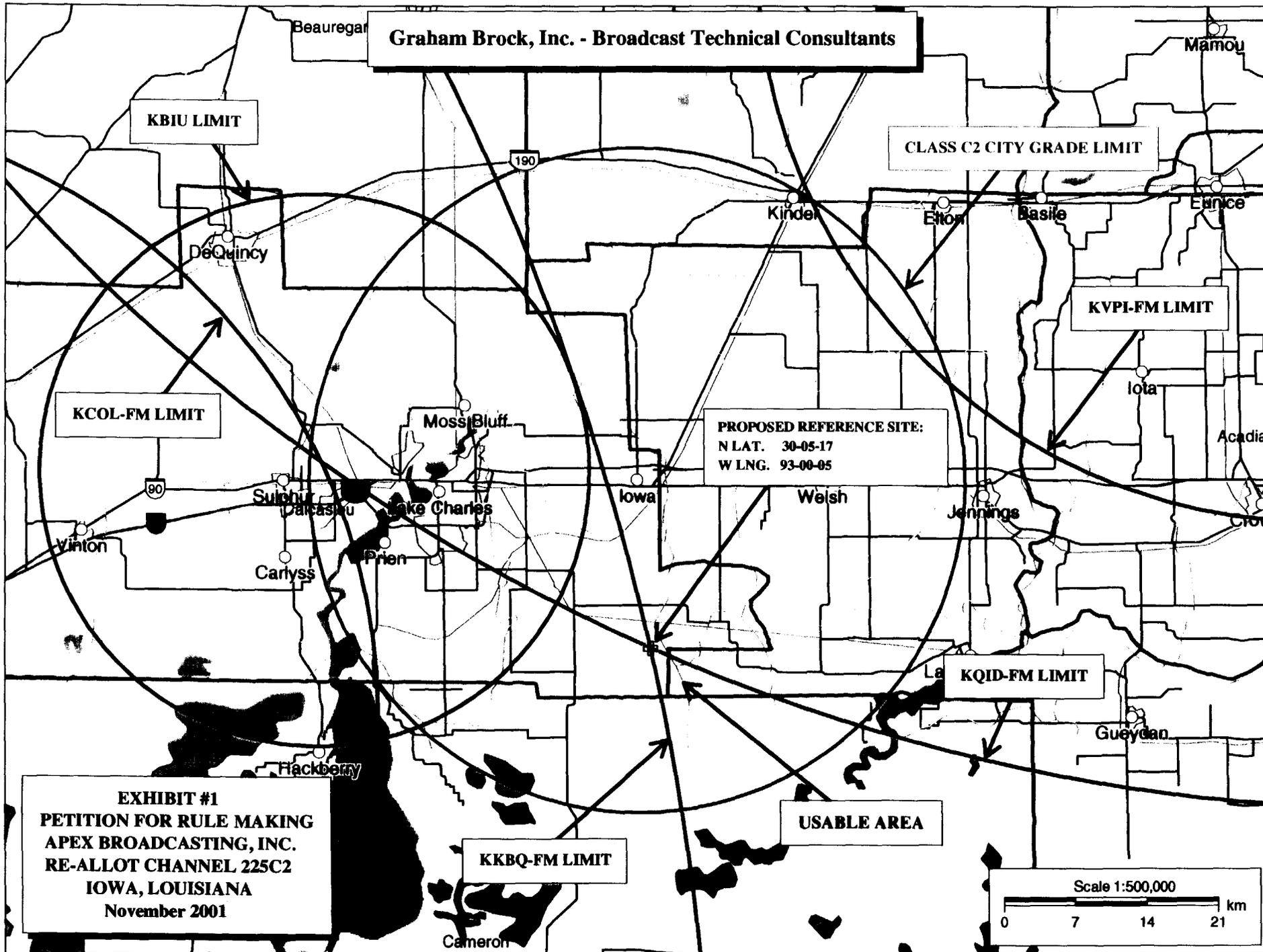
Urbanized Area. From the proposed reference site, only 84.9% of the Urbanized Area will receive 70 dBu service (see Exhibit #3).⁸ As previously denoted, Apex will specify the authorized KJEF-FM permit site for the implementation of this change in community of license. As such, no change in the coverage of the Urbanized Area will occur as a result of this instant petition.⁹

8. The foregoing technical statement was prepared on behalf of Apex Broadcasting, Inc., by Graham Brock, Inc., its Technical Consultants. All data related to FM facilities was extracted from the CDBS database. We assume no liability for errors or omissions in that database that may be adverse to the requests contained herein.

8) The licensed KJEF-FM site does not provide 70 dBu coverage to the Lake Charles Urbanized Area.

9) Since no actual change in coverage over the Urbanized Area is expected, and the proposed community of Iowa is not located in the Lake Charles Urbanized Area, no Tuck analysis appears to be necessary.

Graham Brock, Inc. - Broadcast Technical Consultants



**EXHIBIT #1
PETITION FOR RULE MAKING
APEX BROADCASTING, INC.
RE-ALLOT CHANNEL 225C2
IOWA, LOUISIANA
November 2001**

**PETITION FOR RULE MAKING
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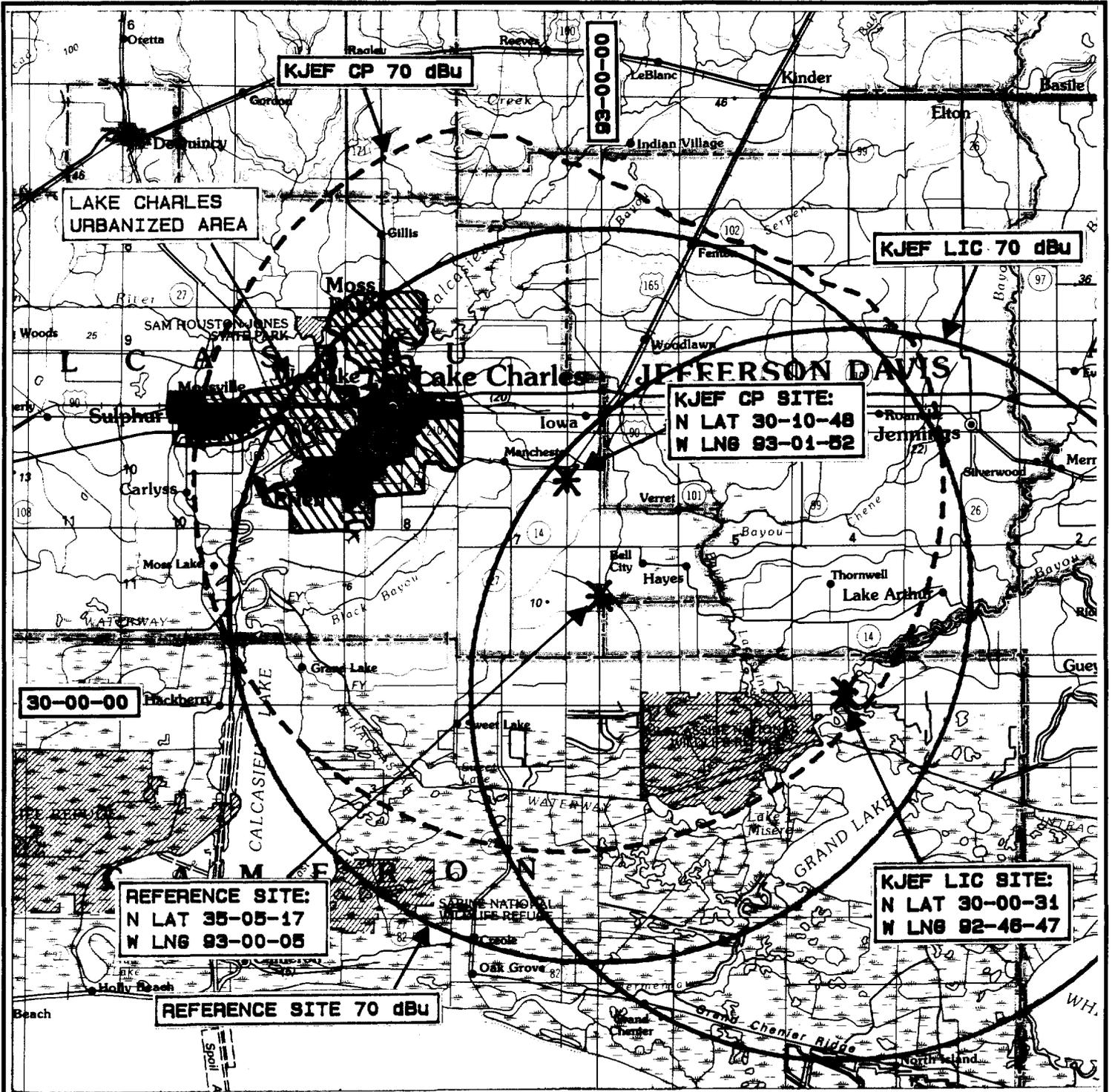
EXHIBIT #2

ALLOCATION STUDY FOR IOWA LOUISIANA
USING PROPOSED ALLOCATION SITE AS REFERENCE

REFERENCE		DISPLAY DATES
30 05 17 N	CLASS C2	DATA 11-09-01
93 00 05 W	Current rules spacings	SEARCH 11-15-01
----- CHANNEL 225 - 92.9 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)

KJEFFM	225C2	Jennings	LA	344.4	10.59	190.0	-179.41
CP ZCX	30 10 48	93 01 52	30.000 kW	195M	6.6	118.1	
	Apex Broadcasting, Inc.			BPH-20010129ADH			
KJEFFM	225C2	Jennings	LA	112.4	23.12	190.0	-166.88
LIC CN	30 00 31	92 46 47	33.000 kW	183M	14.4	118.1	
	Apex Broadcasting, Inc.			BLH-19901221KD			
KKBQFM	225C	Pasadena	TX	257.4	249.01	249.0	0.01
LIC CY	29 34 34	95 30 36	100.000 kW	585M	154.8	154.8	
	Cxr Holdings, Inc.			BLH-19831025AD			
KQIDFM	226C	Alexandria	LA	23.6	188.05	188.0	0.05
LIC CY	31 38 20	92 12 18	100.000 kW	464M	116.9	116.8	
	Cenla B/c Co Inc.			BLH-19870406KA			
RDEL	279C1	Lake Charles	LA	298.0	37.28	27.0	10.28
DEL	30 14 41	93 20 38	0.000 kW	OM	23.2	16.8	
KBIU	279C1	Lake Charles	LA	298.0	37.28	27.0	10.28
LIC CN	30 14 41	93 20 38	100.000 kW	149M	23.2	16.8	
	Cumulus Licensing Corp.			BLH-19971208KB			
KCOLFM	223C2	Groves	TX	265.8	85.27	58.0	27.27
LIC CN	30 01 45	93 52 59	50.000 kW	134M	53.0	36.0	
	Voice In The Wilderness Broad			BLH-19901113KD			
KVPIFM	223A	Ville Platte	LA	44.2	94.31	55.0	39.31
LIC CN	30 41 39	92 18 46	3.900 kW	67M	58.6	34.2	
	Ville Platte Broadcasting Co.			BMLH-19920420KF			
KQBUFM	227C	Port Arthur	TX	268.8	147.15	105.0	42.15
LIC CY	30 03 05	94 31 37	100.000 kW	595M	91.4	65.3	
	Tichenor License Corporation			BMLH-19950921KA			

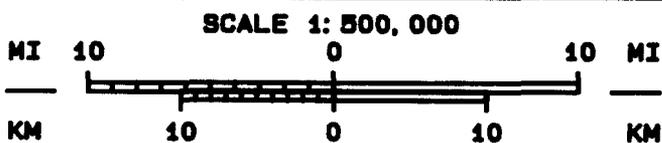


URBANIZED AREA COVERAGE

MAP IS A PORTION OF THE 1: 500, 000 SCALE
U.S.G.S. BASE STATE MAP OF LOUISIANA

EXHIBIT #3
PETITION FOR RULE MAKING
APEX BROADCASTING, INC.
RE-ALLOT CHANNEL 225C2
IOWA, LOUISIANA

November 2001



GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

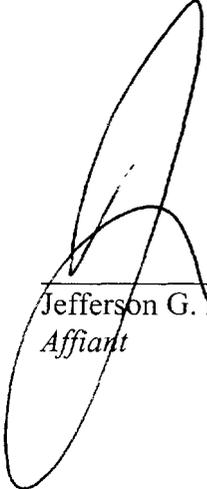
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Apex Broadcasting, Inc., licensee of Radio Station KJEF, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

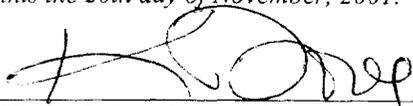
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 20th day of November, 2001.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 20th day of November, 2001.*



Notary Public, State of Georgia
My Commission Expires: April 20, 2002