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*AMENDMENT TO
COUNTERPROPOSAL
MM DOCKET 99-331*

Magalie Roman Salas
Secretary
Federal Communications Commission
Portals II
445 12th Street S.W.
Washington, D.C. 20554

Dear Ms. Salas:

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Transmitted herewith in ~~triplicate~~ is a filing to the Federal Communications Commission.

It is requested that the additional copy marked "file" be date-stamped and returned to us in the enclosed self-addressed stamped envelope.

Should any additional information be required, please contact this office.

Very truly yours,

Robert J. Buenzle

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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)	MM Docket No. 99-331
)	
Amendment of Section 73.202(b))	RM-9848
Table of Allotments)	
FM Broadcast Stations)	
(Madisonville, and)	
College Station, Texas))	

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

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AMENDMENT TO COUNTERPROPOSAL

On January 10, 2000, Garwood Broadcasting Company of Texas ("Garwood") pursuant to Sections 1.415 and 1.420 of the Commission's Rules filed its Comments and Counterproposal in response to the Notice of Proposed Rulemaking ("NPR") issued in the above-captioned proceeding as released November 19, 1999 (DA 99-2564). The Counterproposal subsequently appeared on Public Notice released April 11, 2000. In the instant Amendment, Garwood submits a minor change to its proposal which it believes will simplify that proposal and expedite processing and action upon its request thereby expediting implementation of the new FM radio service as proposed by Garwood in the public interest. In support whereof, the following is submitted:

In the proposal as filed, new radio service would be provided to Garwood Texas (with channel 241A) as well as Sheridan, Texas (with channel 241C3). As part of that proposal, the service at Columbus, Texas, would also have been changed from channel 252A to channel 273C1. While the channel change at

Columbus from 252 to 273 still remains necessary, Garwood no longer proposes to upgrade that channel from its present "A" status to a new "C-1" status. Therefore, the Garwood proposal remains as originally submitted with the sole modification that the proposal for Columbus, Texas, originally to go "from 252A to 273C1", has now been changed to go "from 252A to 273A".

The proposal as now modified reads as follows:

City	Present	Proposed
Garwood, Texas	-	241A
Sheridan, Texas	-	252C3
Edna, Texas	241C3	- *
Columbus, Texas	252A	273A
Bay City, Texas	273C2, 269C1	259C2, 269C1
Palacios, Texas	259C2	264A

* Edna would continue to receive local service from KTMR (AM), a 10KW station presently serving and licensed to Edna.

The original proposal to upgrade the replacement channel in Columbus from 273A to 273C1 would have required a relocation of the existing KULM transmitting tower by 40.91 Km. By keeping the replacement channel as 273A, as proposed in this Amendment, no such relocation will be required, therefore assuring a faster and more efficient change in operating channel from the existing 252A to the new 273A, and minimizing any loss of service during the transition. A new Engineering Statement (entitled "Modification of Comments and Counterproposal") prepared by Garwood's Consulting Engineer and demonstrating the full compliance of this change with all FCC Rules and Regulations is attached hereto.

Also attached hereto is a further statement by Roy E. Henderson, licensee of radio station KULM in Columbus, Texas,

reaffirming his earlier commitment and agreement to the channel change at Columbus, and agreeing further to the modification as set forth herein.

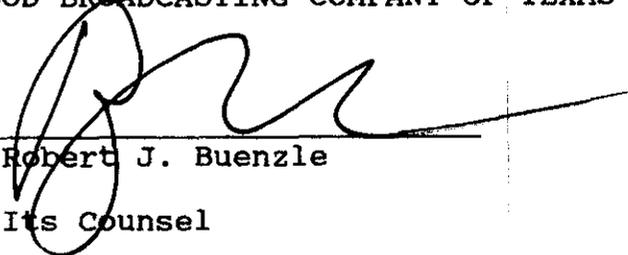
Garwood submits that recognition and consideration of this Amendment to the original proposal is in the public interest since it will simplify the analyses and serve to expedite further consideration of the proposal and the provision of new radio services in the public interest as proposed by Garwood.

Wherefore it is respectfully requested that this Amendment to the Garwood proposal be accepted and considered and that the proposal, as modified, be adopted.

Respectfully submitted,

GARWOOD BROADCASTING COMPANY OF TEXAS

by


Robert J. Buenzle

Its Counsel

Law Offices
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12110 Sunset Hills Road
Suite 450
Reston, Virginia 22090
(703) 715-3006

January 11, 2002

Garwood Broadcasting Company of Texas

**MODIFICATION OF
COMMENTS AND COUNTERPROPOSAL
MM Docket 99-331
January 2002**

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STATE OF ILLINOIS)
)
COUNTY OF PEORIA) SS:

F. W. Hannel, after being duly sworn upon oath, deposes and states:

He is a registered Professional Engineer, by examination, in the State of Illinois;

He is a graduate Electrical Engineer, holding Bachelor of Science and Master of Science degrees, both in Electrical Engineering;

His qualifications are a matter of public record and have been accepted in prior filings and appearances requiring scrutiny of his professional qualifications;

The attached Engineering Report was prepared by him personally or under his supervision and direction and;

The facts stated herein are true, correct, and complete to the best of his knowledge and belief.



January 8, 2002

F. W. Hannel, P.E.

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Garwood Broadcasting Company of Texas

**MODIFICATION OF
COMMENTS AND COUNTERPROPOSAL
MM Docket 99-331
January 2002**

ENGINEERING STATEMENT

This firm has been retained by Garwood Broadcasting Company of Texas, ("GBC"), to prepare this engineering statement in support of a slight modification of its originally filed Counterproposal in the above captioned proceeding.

Discussion

The Commission, by Public Notice dated November 19, 1999, proposed the allotment of FM Channel 241C2 to the community of College Station, Texas, and the deletion of that channel from Madisonville, Texas. In response to that Public Notice, Garwood Broadcasting Company of Texas filed a counterproposal¹ seeking a number of changes in the FM Table of Allotments, including a change in channel at Columbus, Texas, from FM Channel 252A² to FM Channel 273C1.

Garwood Broadcasting Company of Texas is seeking to modify only one portion of its proposal, namely the proposed channel allotment for Columbus, Texas. Instead of requesting the assignment of FM Channel 273C1 at a new reference site, Garwood requests that its proposal be modified to assign FM Channel 273A to Columbus, Texas at the present transmitter site of Radio Station KULM(FM). This slight modification of the original proposal will enable KULM(FM) to construct the Class A facility at its present tower site and result in the removal of a short-spaced Class A facility from the FM Table of Allotments at Columbus, Texas.

¹ The Commission accepted the Counterproposal and published a notice of its filing on April 11, 2000, Report No. 2402.

² FM Channel 252A at Columbus, Texas is a short-spaced grandfathered 3 kilowatt Class A allotment.

Attached as Exhibit E-1 is an FM Channel Study conducted on FM Channel 273A at the present transmitter site of KULF(FM). This study demonstrates that the proposed assignment of FM Channel 273A can be made in full compliance with the Commission's minimum mileage separation requirements if the other changes proposed in the Counterproposal were implemented.

In view of the foregoing, it is respectfully requested that the Commission adopt this counterproposal and amend the FM Table of Allotments as follows:

City	Present	Proposed
Garwood, Texas	-----	241A
Sheridan, Texas	-----	252C3
Edna, Texas	241C3	----- ³
Columbus, Texas	252A	273A
Bay City, Texas	273C2, 269C1	259C2, 269C1
Palacios, Texas	259C2	264A

The adoption of this proposal will result in a number of substantial public interest enhancements as compared to the original proposal in this proceeding. Two communities receive a first local aural service, Columbus, Texas receives a fully spaced Class A facility, and no community is deprived of a local service, all of which are significant improvements in the distribution of FM services to the various communities.

³ Edna, Texas is served by AM station KTMR(AM), operating on 1130 khz with power of 10 kw as a remaining local aural service.

Garwood Broadcasting Company of Texas

**MODIFICATION OF
COMMENTS AND COUNTERPROPOSAL**
MM Docket 99-331
January 2002

FM Channel Study
FM Channel 273A
Columbus, Texas
N29-42-03 W96-34-24

Exhibit E-1

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLR
KMJQ	HOUSTON	TX	271	C	U	105.5	95.0	97.6°	10.5
KMJQ	HOUSTON	TX	271	C	L	109.6	95.0	88.7°	14.6
KMJQ	HOUSTON	TX	271	C	L	116.8	95.0	86.8°	21.8
KMJQ	HOUSTON	TX	271	C	L	105.5	95.0	97.6°	10.5
KPEZ	AUSTIN	TX	272	C2	U	133.7	106.0	294.3°	27.7
KPEZ	AUSTIN	TX	272	C2	L	134.2	106.0	295.6°	28.2
ALC	BAY CITY	TX	273	C2	D	108.2	166.0	157.9°	-57.8
ALC	COLUMBUS	TX	273	C1	A	40.4	200.0	175.8°	-159.6
KMKS	BAY CITY	TX	273	C1	V	68.0	200.0	168.5°	-132.0
KMKS	BAY CITY	TX	273	C2	L	108.2	166.0	157.9°	-57.8
ALC	CALDWELL	TX	274	A	A	99.1	72.0	349.1°	27.1
KLTN	HOUSTON	TX	275	C	U	119.6	95.0	87.0°	24.6
KLTN	HOUSTON	TX	275	C	L	119.6	95.0	87.0°	24.6

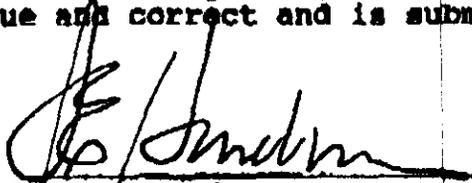
All Distances in Kilometers

January 10, 2002

The Federal Communications Commission
Washington, D.C.

RE: Consent to Channel Change in Docket MM 99-331

By statement executed January 7, 2000, I confirmed my agreement to the channel change as proposed at that time for radio station KULM in Columbus, Texas, by Garwood Broadcasting in RN-9848. As licensee of radio station KULM, I hereby reaffirm that original commitment and further agree here to the modification of the proposal for Columbus, i.e. that the change in channel be from 252A to 273A, and further state that upon approval of this change by the Commission, I will proceed to file an application to make such change at radio station KULM and will, with FCC approval, implement the change as proposed. I verify that this statement is true and correct and is submitted in good faith.



Roy E. Henderson

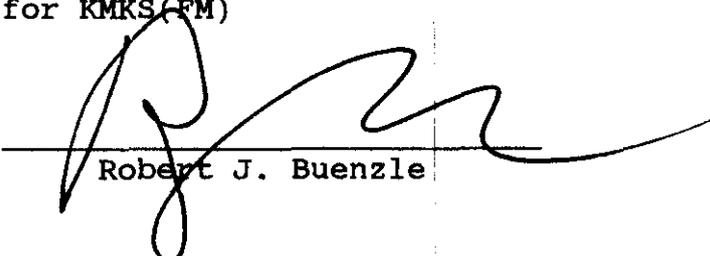
CERTIFICATE OF SERVICE

I, Robert J. Buenzle, do hereby certify that copies of the foregoing Amendment to Counterproposal have been served by United States mail, postage prepaid this 11th day of January, 2002, upon the following:

*John A. Karousos, Esq.
Chief, Allocations Branch
Policy and Rules Division, Mass Media Bureau
Federal Communications Commission
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Licensee of KMKS(FM)

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Counsel for KMKS(FM)



Robert J. Buenzle

* Also Sent By Fax