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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations,)
(Animas and Hurley, New Mexico))

MM Docket No. _____
RM- _____

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

PETITION FOR RULEMAKING

Bootheel Broadcasters ("Petitioner"), by its counsel and pursuant to Section 1.420 of the Commission's rules, hereby requests that the Commission amend Section 73.202(b) of the Commission's rules to allot Channel 289C to Animas, New Mexico as that community's first local broadcast service. In support thereof, the following is respectfully shown:

Animas, New Mexico is an unincorporated ranching and mining community of 200 persons according to the 2000 Rand McNally Atlas. It is located in Hidalgo County, New Mexico, and is the economic center for an area known as the "Boot Heel," located in Southwest New Mexico and Southeastern Arizona. Animas has its own school district (Animas School District #6), which includes an elementary school, middle school and high school. It is home to four churches, First Baptist Church of Animas, LDS Church, Valley View Church and Valley View Community Church. It has commercial establishments such as Saveway Grocery and Bar, Cotton City Grocers, Panther Tracks Café and Cattlemen's Texas Longhorn and has its own post office and zip code, as well as a telephone cooperative, Valley Telephone Co-Op, and an electric co-op, Columbus Electric Co-Op. It also has its own volunteer fire and rescue squad, highway

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department office, a well-known commercial greenhouse operation, Burgett Geothermal Greenhouses, Inc. and several large ranches, including the Rough Mountain Ranch and the Gray Ranch/Animas Foundation, a biological preserve.

Animas is a social and economic center for local residents, yet it is not currently served by any broadcast service. Consequently, the allotment of Channel 289C to Animas will constitute a first local broadcast service.

Channel 289C may be allotted to Animas consistent with Section 73.207, the Commission's spacing requirement, and Section 73.315, the Commission's city coverage requirement. In order to accommodate the proposal to allot Channel 289C to Animas, Channel 229C1 must be substituted for Channel 288C1 and the transmitter site for Station KWNM(FM), Hurley, New Mexico, must be relocated, and the KWNM license modified accordingly. The licensee of Station KWNM(FM), BBC Radio, has provided a statement in which it consents to a change in its coordinates, as well as a new channel.¹ Channel 229C1 may be allotted to Hurley in compliance with the Commission's city grade coverage and spacing requirements.² Station KWNM has filed a minor change application which remains pending at the Commission (BBH-20020107AAC). As noted by BBC Radio in its Consent, attached to this proposal, this rulemaking is a separate matter and neither it nor BBC Radio's consent is in any way dependent on favorable action on its minor change application. Should this rulemaking proposal be granted, BBC Radio has agreed to implement the channel and site change regardless of the outcome of its pending minor change application.

¹ See attached Consent from BBC Radio.

² The new reference coordinates for Station KWNM(FM) on Channel 229C1 are North Latitude 32° 53' 00", West Longitude 108° 19' 00".

The allotment of Channel 289C to Animas, New Mexico, will not only result in a first local service to that community, providing new service to 76,131 people residing in an area of 26,444 square kilometers, but will provide service to a currently unserved "white" area of 228 people residing in an area of 338 square kilometers. Thus, the Aminas proposal will satisfy the first two allotment priorities set forth in Revision of Assignment Policies and Procedures, 90 FCC 2d 88 (1988).

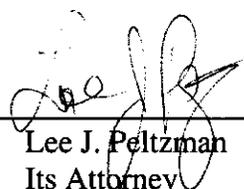
Petitioner states that in the event the Commission grants the instant proposal and allots Channel 289C to Animas, it will apply for the new facilities, and, upon a grant of its application, will construct its facilities in an expeditious fashion.

In view of the above, Bootheel Broadcasters respectfully requests that the Commission amend its Table of Allotments to allot Channel 289C to Animas, New Mexico, and substitute Channel 229C1 for Channel 288C1 at Hurley, New Mexico.

Respectfully submitted,

BOOTHEEL BROADCASTERS

By: _____


Lee J. Peltzman
Its Attorney

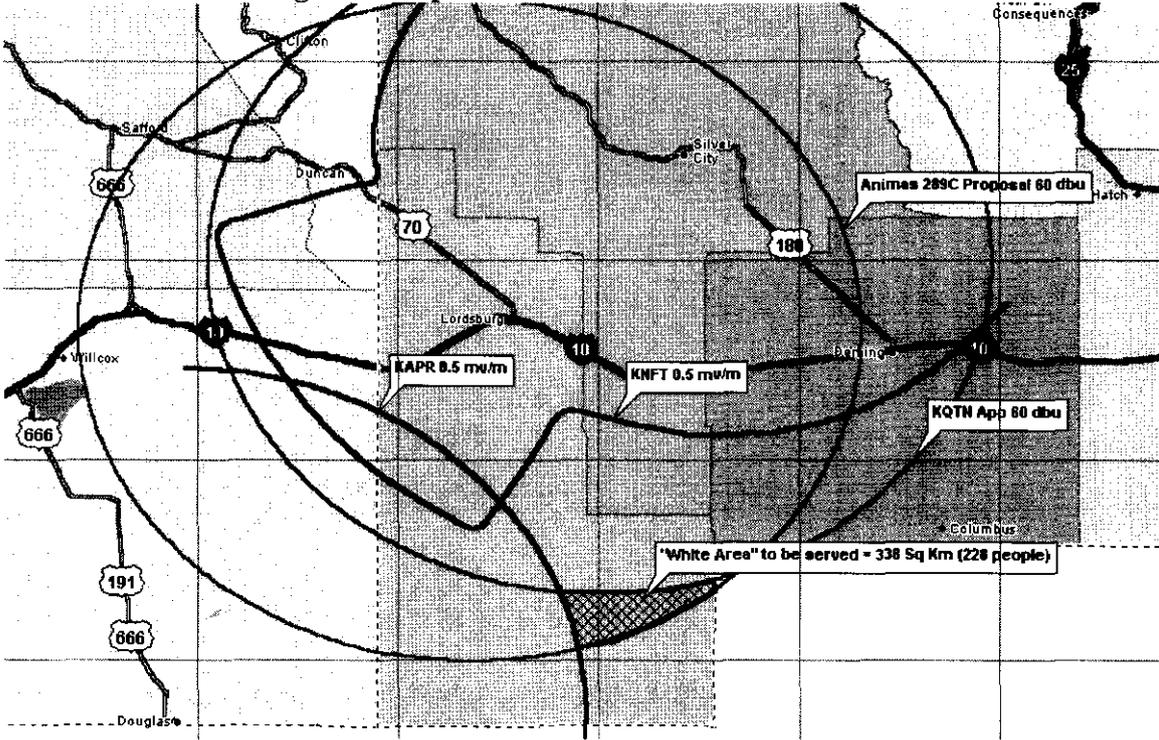
Shainis & Peltzman, Chartered
1850 M Street, NW, Suite 240
Washington, DC 20036
(202) 293-0011

February 28, 2002

EXHIBIT #1**73.207 Channel Study for:****Channel 289 C****N. 32° 9' 30"****W. 108° 49' 0"**

Chan	Class	CallSign	City	State	Co	Status	N			W			Reqd	Dist	Clear
288 C1	KWNM	HURLEY		NM	US	LIC	32	50	40	108	14	19	209	79.13	-129.88
287 C1	KWNM	HURLEY		NM	US	APP	32	48	17.7	107	57	4.9	105	97.13	-7.88
290 C		NOGALES		SO	MX		31	19	49	110	56	42	228	229.71	1.71
292 C		LOS MOSCOS		CH	MX		31	32	24	108	8	50	105	107.64	2.64
290 C	XHGUFM	CIUDAD JUAREZ		CH	MX		31	44	27	106	28	21	228	230.71	2.71
290 C		CIUDAD JUAREZ		CH	MX		31	44	27	106	28	21	228	230.71	2.71
290 C	XHNESEFM	NOGALES		SO	MX		31	19	7	110	57	29	228	231.42	3.41
288 B		NACUZARI DE GARCIA		SO	MX		30	22	25	109	41	28	215	231.81	16.81
291 C		FRONTERAS		SO	MX		30	53	59	109	33	32	105	173.02	68.02
287 C2	KZLZ	KEARNY		AZ	US	LIC	32	49	38	110	34	12	105	173.79	68.78
292 C2	KGMG	ORACLE		AZ	US	LIC	32	26	26	110	47	12	105	185.81	80.81
289 B		MADERA		CH	MX		29	11	30	108	9	40	270	353	83
288 B		EL PORVENIR		CH	MX		31	15	0	105	52	20	215	303.28	88.27
288 C2	NEW	HEBER		AZ	US	ADD	34	25	53	110	35	36	188	286.18	98.18

“White Area” coverage for Proposed Animas, NM Channel 289 C



70 dbu Coverage for Proposed Animas, NM Channel 289 C

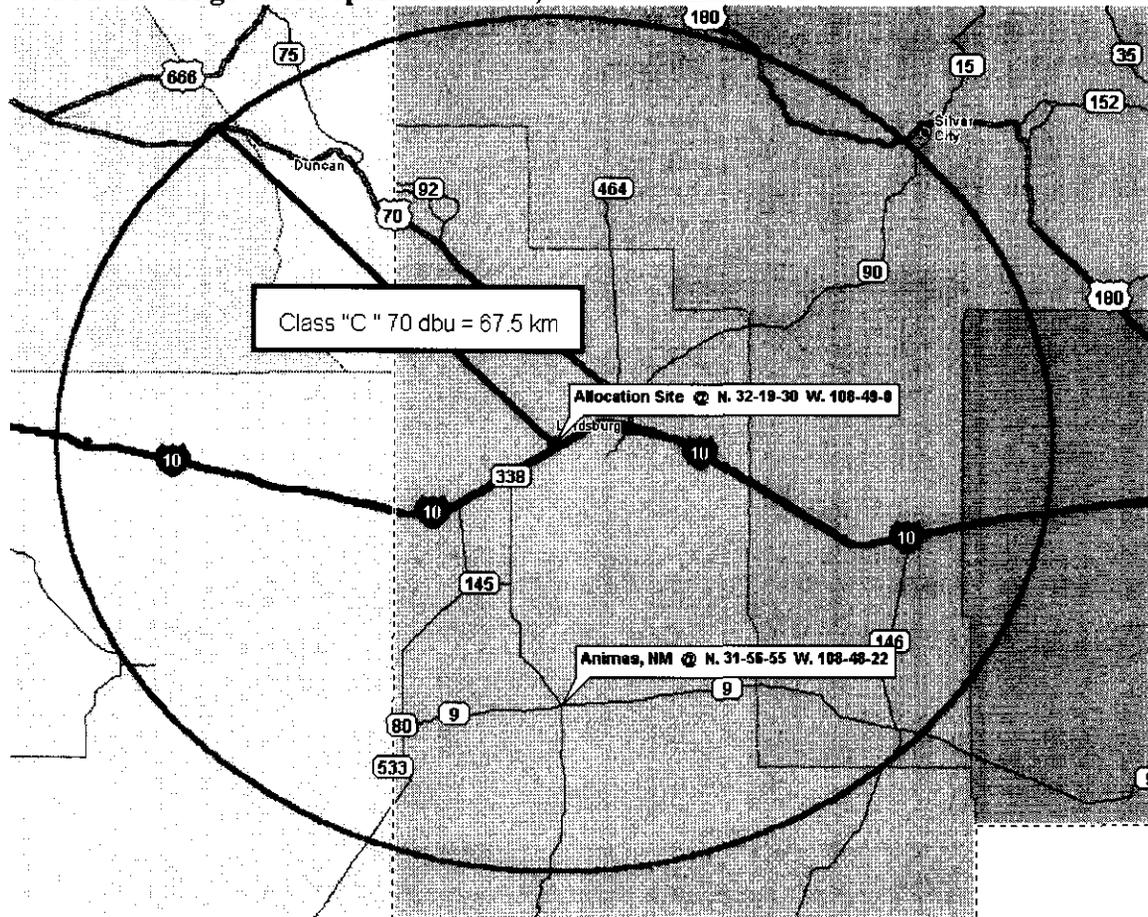
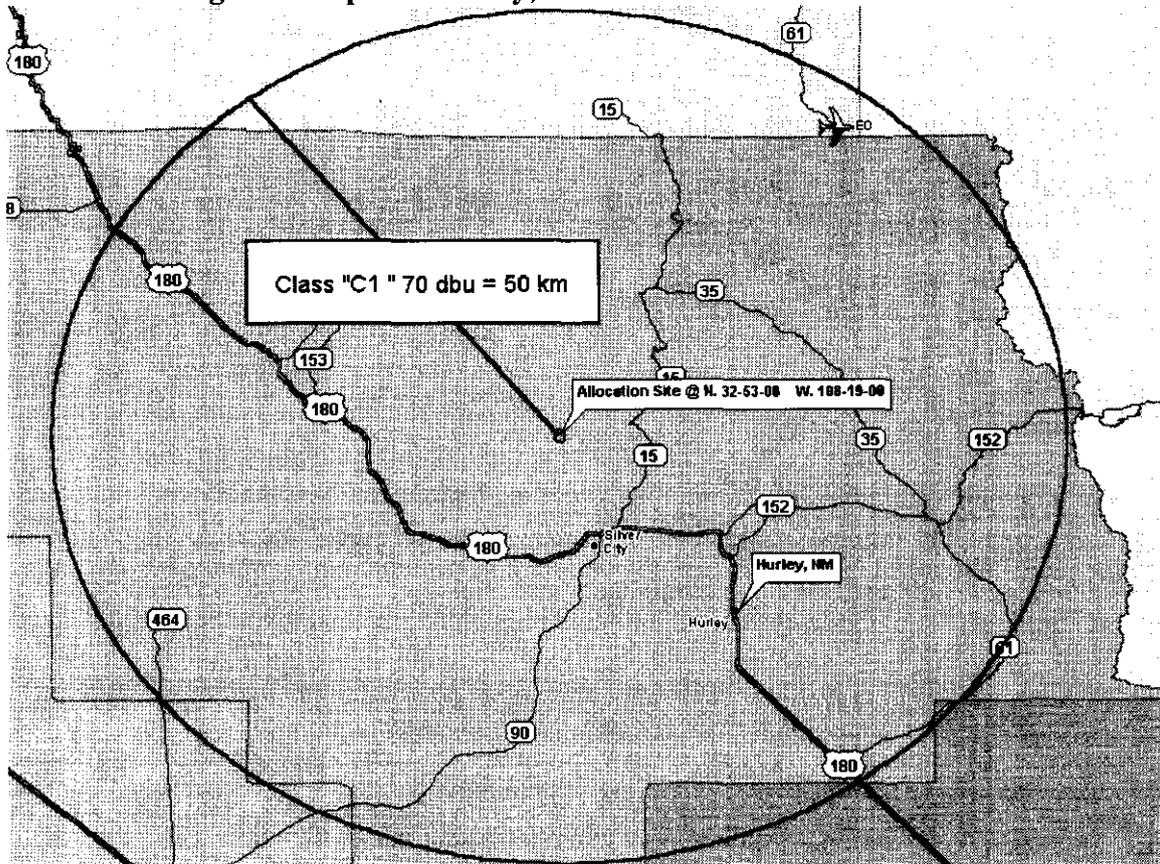


EXHIBIT #4**73.207 Channel Study for:****Channel 229 C1****N. 32° 53' 0"**
W. 108° 19' 0"

Chan	Class	CallSign	City	State	Co	Status	N			W			Reqd	Dist	Clear
230 C		KINT-FM	EL PASO	TX	US	LIC	31	47	46	106	28	57	209	210.63	1.62
229 C		KRQQ	TUCSON	AZ	US	LIC	32	14	56	111	6	57	270	272.1	2.1
229 C		KRQQ	TUCSON	AZ	US	CP	32	14	56	111	6	59	270	272.15	2.14
232 A		KDEM	DEMING	NM	US	LIC	32	15	5	107	45	28	75	87.58	12.57
229 C		KXXI	GALLUP	NM	US	LIC	35	36	22	108	41	26	270	303.94	33.93
228 C2		KSNX	SHOW LOW	AZ	US	CP MOD	34	12	20	109	56	26	158	210.33	52.33
231 C1		KXKQ	SAFFORD	AZ	US	LIC	32	39	1	109	50	53	82	145.78	63.78
228 C3		KSNX	SHOW LOW	AZ	US	LIC	34	13	14	110	1	49	144	217.5	73.5
283 A		KNMA	RESERVE	NM	US	LIC	33	42	35	108	45	56	22	100.7	78.7
228 D		K228DK	DEMING	NM	US	LIC	32	15	21	107	45	26	0	87.22	87.21

70 dbu Coverage for Proposed Hurley, NM Channel 229 C1



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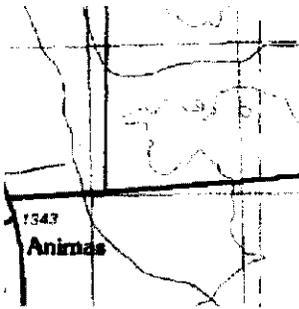
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Style: Relief Topo Image

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Animas, New Mexico, United States 28 Sep 1996

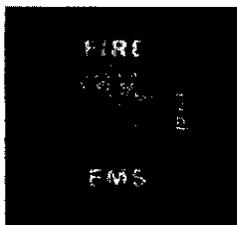
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Animas Volunteer Fire & Rescue



#1 Community Center Rd.
 P.O. Box 409
 Animas, NM 88020
 USA

Scanner: (tx)153.770 (rx) 154.400 Mhz
 Phone: (505) 548-2323
 For emergencies: Dial (505) 548-2340
 Email: animasfiredept.@excite.com

Submitted By: Jared Fraile <quailrun@vtc.net>
 Last Updated: Tue Jun 6 19:36:51 2000

About the Animas Volunteer Fire & Rescue

Animas Volunteer Fire & Rescue proudly protects 1,000 people living in an area of 2,500 square miles. We operate out of 1 station that protects a primarily rural area. Our department is a public department whose members are on a combination of paid and volunteer status. We have an ISO rating of 9.



Our Services:

- Fire
- EMS
- Haz-Mat
- Search and Rescue
- Extrication

Our Dispatched Methods:

- Dialing 911
- Calling our Department

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Animas Volunteer Fire & Rescue



#1 Community Center Rd.
P.O. Box 409
Animas, NM 88020
USA

Scanner: (tx)153.770 (rx) 154.400 Mhz
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Email: animasfiredept.@excite.com

Submitted By: Jared Fraile <quailrun@vtc.net>
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Animas Volunteer Fire & Rescue

Personnel Listing

Animas Volunteer Fire & Rescue is led into action by Ernie Fralie, who has served the department for 20 years. Our department has 17 volunteer professionals.

17 personnel are listed below.

Name	Title	Years
Ernie Fralie	Chief, First Responder	20
Sam Pursley	Asst. Chief, First Responder	17
Beverly Fralie	Lieut., Secretary, First Responder	17
Jack Lasher	Safety Advisor, EMT, Fire Fighter	18
Rosie Lasher	EMT, Fire Fighter	18
David Justice	Captain, EMT	5
Ric Meloy	Captain, First Responder	10
J.T. Lasher	Captain, First Responder	6
Jack Robinson	Fire Fighter, First Responder	5
Mary Moore	Fire Fighter, First Responder	7
Leon Evans	Fire Fighter, First Responder	17
Diane Pursley	Fire Fighter, First Responder	16
Jared Fralie	Dispatcher, Asst. Secretary	5

	Secretary	
Mary McCarty	Fire Fighter, First Responder	2
Justin McCarty	Junior Fire Fighter	2
<i>not given</i>	<i>not given</i>	<i>not given</i>
<i>not given</i>	<i>not given</i>	<i>not given</i>

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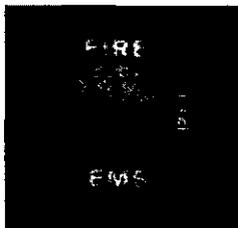
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Apparatus Listing

16 apparatus are listed below.

Year	Manufacturer	Model	Type
1979	Ford	F-750	Pumper
1989	Ford	F-350	Rescue
1976	Mack	<i>not given</i>	Tanker
1974	Kaiser	6x6 Tank Truck	Tanker
<i>not given</i>	Chev	<i>not given</i>	Tanker
1967	Kaiser	6x6	Wrecker
1983	International	Bobtail	Cashe
1982	Chev	Blazer	Command
1965	Ford	1 Ton 4x4	Fuel
<i>not given</i>	Ford	<i>not given</i>	Ambulance
1986	Chev	<i>not given</i>	Brush 1
<i>not given</i>	Chev	<i>not given</i>	Brush 2
<i>not given</i>	Chev	<i>not given</i>	Brush 3
<i>not given</i>	Ford	<i>not given</i>	Brush 4
<i>not given</i>	Ford	<i>not given</i>	Brush 5
<i>not given</i>	<i>not given</i>	<i>not given</i>	<i>not given</i>

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Business Name	Address	City	Phone
Animas Elementary School	1 Panther Blvd	Animas, NM	(505) 548-2297
Animas Fire District Volunteer	PO Box 409	Animas, NM	(505) 548-2340
Animas Middle School	1 Panther Blvd	Animas, NM	(505) 548-2333
Animas School	Highway 9 & Panther Blvd	Animas, NM	(505) 548-2296
Animas School District 6	1 Panther Blvd	Animas, NM	(505) 548-2349
Animas Superintendent's Office	1 Panther Ave	Animas, NM	(505) 548-2299
First Baptist Church Of Animas	Hwy 9	Animas, NM	(505) 548-2572

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Business Name	Address	City	Phone
Animas Fire District Volunteer	PO Box 409	Animas, NM	(505) 548-2340

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Business Name	Address	City	Phone
Cattlemens Texas Longhorn		Animas, NM	(505) 548-2525
Panther Tracks Cafe	Highway 338	Animas, NM	(505) 548-2444

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Business Name	Address	City	Phone
Cotton City Grocers	Mile Marker 13	Animas, NM	(505) 548-2560
Cotton City Grocery		Animas, NM	(505) 548-2720
Saveway Grocery & Bar	Highway 9	Animas, NM	(505) 548-2290

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Business Name	Address	City	Phone
Family Lands Ltd	Hc 65 Box 179c	Animas, NM	(505) 548-2622

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Animas Middle School	1 Panther Blvd	Animas, NM	(505) 548-2333
Animas School	Highway 9 & Panther Blvd	Animas, NM	(505) 548-2296
Animas School District 6	1 Panther Blvd	Animas, NM	(505) 548-2349
Animas Superintendent's Office	1 Panther Ave	Animas, NM	(505) 548-2299

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Business Name	Address	City	Phone
Columbus Electric Co-Op Inc		Animas, NM	(505) 548-2230

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1-800-222-0300



1-800-222-0400

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Business Name	Address	City	Phone
Valley Telephone Co-Op Inc	Highway 9 & 338	Animas, NM	(505) 548-2533

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Business Name	Address	City	Phone
First Baptist Church Of Animas	Hwy 9	Animas, NM	(505) 548-2572
Lds Church		Animas, NM	(505) 548-2318
Valley View Church	PO Box 528	Animas, NM	(505) 548-2539
Valley View Community Church	Hc 65 Box 263	Animas, NM	(505) 548-2539

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Business Name	Address	City	Phone
Cotton City Grocers	Mile Marker 13	Animas, NM	(505) 548-2560
Cotton City Grocery		Animas, NM	(505) 548-2720
Saveway Grocery & Bar	Highway 9	Animas, NM	(505) 548-2290

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Business Name	Address	City	Phone
X T Camp		Animas, NM	(505) 548-2261

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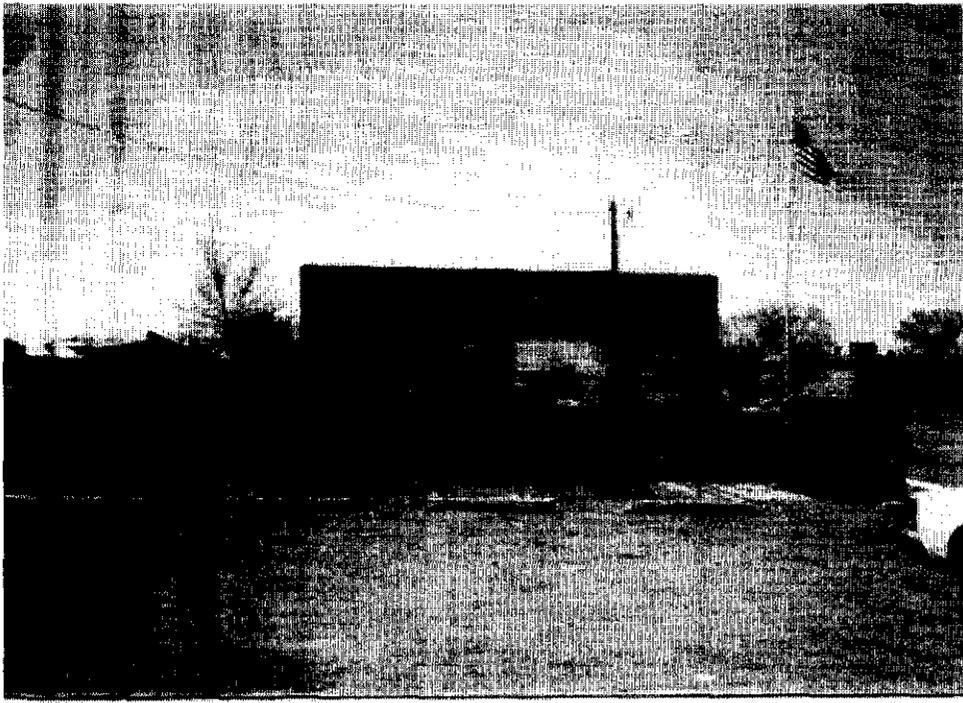
Business Name	Address	City	Phone
US Post Office	Highway 338 & 9	Animas, NM	(800) 275-8777

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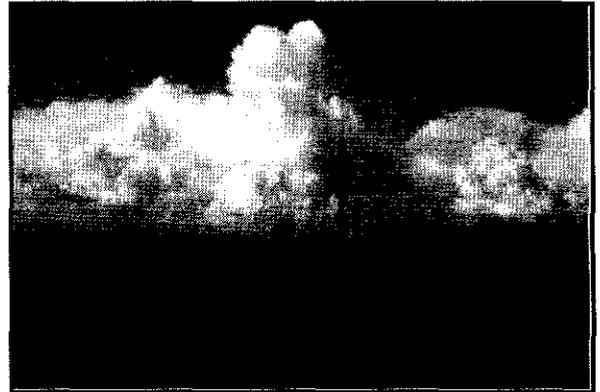
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I'm always working on this one...be sure to come back!



Hidalgo County New Mexico



Hidalgo County was formed from Grant County in 1919 and Lordsburg is the county seat. It was named for Miguel Hidalgo y Costilla, a priest who fought for Mexico's independence. Two of the better known towns in the county are Rodeo and Animas. Rodeo is known for it's wonderful art gallery and Animas for it's schools. It's a large county of 3,445 square miles and a population of 6,100 in 1994. Because of it's location in the southwestern corner of New Mexico, it has beautiful weather with highs in the 90's in summer and lows in the 20's in January. July through October is their rainy season.

Here's a little info on some of the towns:

- **Rodeo** is a small town with some of the nicest people. Two stops are a MUST. The Rodeo grocery store for the best cinnamon rolls you've ever had and the Chiricahua Gallery where you can buy fine art in all forms from the many local artists. Sculpture, pottery, jewelry, paintings and wood craft of *exceptional* quality.
- **Lordsburg** is the county seat, population 2931 in 1992. It's elevation is 4237 feet and has a yearly rainfall of about 11 inches.
- **Animas** is is known for it's school that turns out great students each year. A lot of Arizona kids go to school here too. It's population in 1990 was 1299.
- **Virden** is a wonderful farming town in the northern part of the county with a 1992 population of 108.
- **Steins** (the locals call it "steens") is a ghost town of old railroad buildings and such. Population is 4. It's on I 10 just east of the Arizona state line. Guided tours are given.
- **Shakespeare** is a ghost town, 2 1/2 miles south of Lordsburg. It's named for the Shakespeare Mining Co that had claims in the area around 1875. There are guided tours; call ahead for times at 505 542 9034.

ANIMAS FOUNDATION/GRAY RANCH

DR. BEN BROWN, PROGRAM DIRECTOR

HC 65, BOX 180
ANIMAS, NM 88020

(505) 548-2622 TELEPHONE

(505) 548-2267 FAX

benbrown@vtc.net E-MAIL

MISSION

Recognizing that the biological diversity of the land and waters of the earth is declining, and recognizing that human activity has contributed to this imbalance, the Animas Foundation will encourage the practice of a land ethic to preserve, heal, restore, and sustain wildlands and waters, their inhabitants and cultures.

We propose to explore by scientific research, to disseminate through education, to imagine through artistic endeavor and other means, the interactive forces of man and nature. The Animas Foundation advances these and other charitable objectives in cooperation with, and support of, organizations, communities and individuals having similar and related goals.

ACTIVE PROJECT

- Long-term research: The effects of grazing and fire (alone and in combination) on Chihuahuan Desert grasslands (plant composition and community structure, vertebrates, invertebrates, soil biota). McKinney Flats, Gray Ranch
- Rare Species Monitoring (in conjunction with New Mexico Game and Fish Department, Endangered Species Branch): periodic surveys of abundance for white-sided jackrabbits, Botteri's sparrow, Baird's sparrow, Mexican chickadees, yellow-eyed juncoes, grasshopper sparrows, Sprague's pipit, Chiricahua leopard frog, bunchgrass lizards, and Gould's turkeys
- Montane Rattlesnake Research: Research completed. Report forthcoming
- Mesquite Research: Dr. Tom Valone of St. Louis University has initiated a research project to examine the effects of season and intensity of burning on two different-aged stands of mesquite.

BLACK RANGE RESOURCE CONSERVATION & DEVELOPMENT, INC. (Black Range RC&D)

HAROLD J. BRAY, COORDINATOR

2610 N. SILVER STREET
SILVER CITY, NM 88061



Burgett Greenhouses

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BURGETT GEOTHERMAL GREENHOUSES, INC., consists of thirty-two acres of greenhouses located in the southwestern corner of the State of New Mexico (USA) where roses, lilies, snapdragons and other flowers are grown for distribution to retail and wholesale florists in the states of New Mexico, Texas, Arizona, Nevada and Utah.

Two wholesale stores are located in Albuquerque, New Mexico, and Las Vegas, Nevada, for local distribution in those areas.

Ground and Air Transport is available from El Paso, Tucson, Phoenix, Albuquerque and Las Vegas to anywhere in the United States. Call us at 800-695-3325 for more information.

It is the mission of Burgett Geothermal Greenhouses, Inc., to supply fresh flowers to retail and wholesale florists with added assurance that we are a phone call away.

To contact us.....

BURGETT GEOTHERMAL GREENHOUSES, INC.
Box 265-A, Animas, New Mexico 88020
United States

(505) 548-2353
(800) 695-3325
FAX (505) 548-2293

E-mail Address: sales@burgettgreenhouses.com

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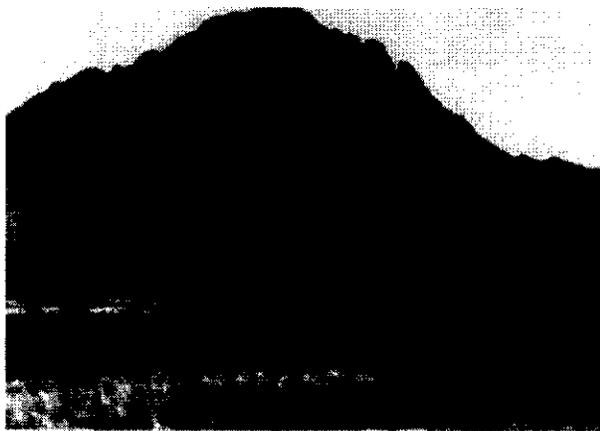
New Mexico Ranches

Rough Mountain Ranch

Animas, New Mexico

1750 ac.

For a ranch with a view, this is a spectacular one after the mountain that sits in its shadow. The view is a beautiful panoramic view of New Mexico where it meets Colorado. The view is a beautiful panoramic view of New Mexico where it meets Colorado. The view is a beautiful panoramic view of New Mexico where it meets Colorado.



The south and west face of the mountain is a spectacular view of the Animas Mountains. The view is a beautiful panoramic view of New Mexico where it meets Colorado. The view is a beautiful panoramic view of New Mexico where it meets Colorado.

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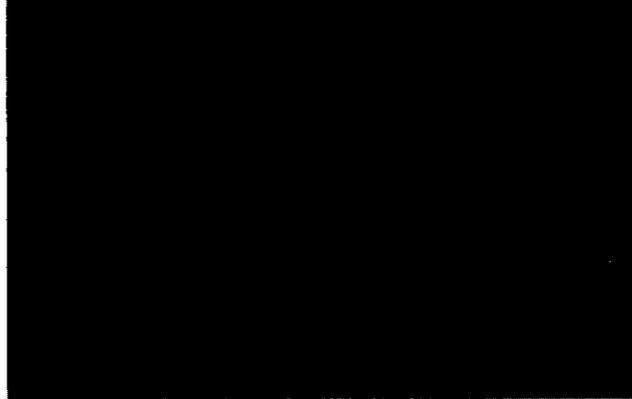
The view is a beautiful panoramic view of New Mexico where it meets Colorado. The view is a beautiful panoramic view of New Mexico where it meets Colorado. The view is a beautiful panoramic view of New Mexico where it meets Colorado.

R26NM Ranch Style Home on 10 acres

Price: \$90,000 MUST SELL! Cash Utilities

Location: Animas, NM

Descrip: 4 bdrm 2 bath adobe home with a large country kitchen. This ranchette has a garage, outbuildings, and horse facilities. Located in the heart of Animas with no restrictions, this property is an excellent investment. Within walking distance to schools, community center and local businesses. Endless possibilities.



House and Kitchen



Station KWNM(FM)
Hurley, New Mexico

CONSENT

BBC Radio, licensee of Station KWNM(FM), Hurley, New Mexico, hereby agrees to have the station's channel changed from Channel 288C1 to 229C1 and to relocate its reference coordinates to North Latitude 32° 53' 00" and West Longitude 108° 19' 00". KWNM has filed a minor change application which remains pending at the Commission (BBH-20020107AAC). BBC Radio's consent to the Animas rulemaking proposal should be considered a separate matter and is in no way dependent on favorable action on its pending application. Should the Animas rulemaking proposal be approved by the Commission, BBC Radio will file an application for Station KWNM consistent with the FCC's rules to implement the Commission Report and Order, and, upon grant of its application, will construct its facility as authorized.

BBC Radio understands that this statement may be used in a filing with the Commission and hereby authorizes its use for that purpose.

I verify that this statement is true and correct to the best of my knowledge and belief and is made in good faith.

BBC RADIO

By: 
James S. Bumpous
Partner

Date: February 28, 2002