

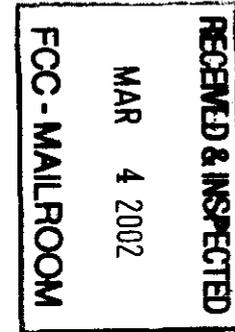


DUCKET COPY ORIGINAL
Federal Communications Commission
Washington, D.C. 20554

U4 level
Emergency Center

February 28, 2002

Robert Fabian
4 Hickory Crossing Lane
Argyle, Texas 76226



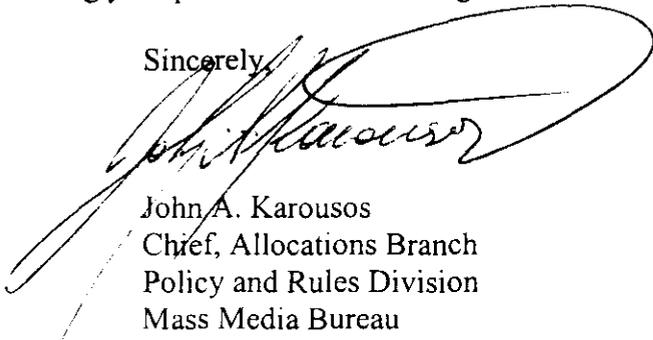
Dear Mr. Fabian:

This letter refers to the petition for rulemaking you filed on November 13, 2001, requesting the allotment of FM Channel 236A to Cadillac, Michigan.

An initial review of your petition shows that it is unacceptable for consideration at this time. The proposal for Channel 236A at Cadillac is short-spaced to a proposal to allot Channel 236A to Highland, Michigan, that is being considered in an ongoing rulemaking proceeding (RM-10248, Docket No. 01-242). Your proposal could be considered as a counterproposal in the referenced rulemaking proceeding (Docket No. 01-242), if your proposal had been filed within the time period allowed for filing comments in the referenced rulemaking proceeding. The deadline for filing comments in that proceeding was November 5, 2001. Thus, any competing proposal or petition for rulemaking that would be considered as a counterproposal in that proceeding had to be filed by November 5, 2001. See Section 1.420(d) of the Commission's Rules. Therefore, since your petition for rulemaking was not filed within the time period required for proposals that could be considered as a counterproposal in Docket No. 01-242, it must be returned as unacceptable for consideration at this time.

In light of the foregoing, we are returning your petition for rulemaking.

Sincerely,



John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

Enclosure

RECEIVED

NOV 13 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of)
)
Amendment of 73.202 (b))
Table of Allotments)
FM Broadcast Stations)
(Cadillac, MI))

MM Docket No. _____

To: John Karousos, Chief
Allocations Branch
Mass Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Robert Fabian respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 236A at Cadillac, Michigan.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 236A to Cadillac, Michigan, as that community's third competing commercial FM service. Cadillac is an incorporated township with a population in excess of 10,000 people. Cadillac has its own township mayor, Ronald Blancher, its own school system, its own post office, its own fire department and a number of local churches. The proposed channel 236A will provide additional diversity and an outlet for local self-expression to Cadillac residents and therefore is in the public interest.

Petition for Rule Making
Cadillac, Michigan
Page 2

Attached hereto is a channel study confirming that Channel 236A can be allocated to **Cadillac**, Michigan consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). Note: Channel 236A Highland, Michigan was petitioned to be dismissed on 11/1/01.

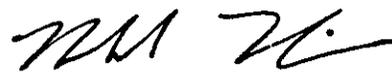
Reference coordinates are:

44 16 11 N
85 19 56 W

Should this petition be granted, and Channel 236A be allotted to **Cadillac**, Michigan Petitioner will apply for Channel 236A, and after it is authorized, will promptly construct the new facility.

The information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Robert Fabian
4 Hickory Crossing Lane
Argyle, TX 76226
(940) 241-1204 Tele

November 12, 2001

Cadillac

MAPFM search of channel 236A6 (95.1 MHz), at N. 44 16 11, W. 85 19 56.

Searching Channel 236A6 (95.1 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	HEMLOCK	MI	233	C1	A	84.0	75.0	135.9°	9.0
ALC	MOUNT PLEASANT	MI	233	C1	D	84.0	75.0	135.9°	9.0
WCEN-F	MOUNT PLEASANT	MI	233	C1	U	89.4	75.0	149.4°	14.4
WCEN-F	MOUNT PLEASANT	MI	233	C1	L	84.0	75.0	135.9°	9.0
WKJZ	HILLMAN	MI	235	C2	U	143.9	106.0	52.2°	37.9
WKJZ	HILLMAN	MI	235	C2	L	139.6	106.0	53.3°	33.6
WKZC	SCOTTVILLE	MI	235	C3	U	89.3	89.0	256.2°	0.3
WKZC	SCOTTVILLE	MI	235	C3	L	89.8	89.0	254.8°	0.8
ALC	HIGHLAND	MI	236	A	A	1.0	115.0	222.9°	-114.0
NEW	GRAND RAPIDS	MI	236	A	A	152.9	115.0	192.7°	37.9
NEW	GRAND RAPIDS	MI	236	A	A	147.9	115.0	190.5°	32.9
WFBE	FLINT	MI	236	B	U	192.6	178.0	136.1°	14.6
WFBE	FLINT	MI	236	B	L	192.6	178.0	136.1°	14.6
WLST	MARINETTE	WI	236	C1	U	204.4	200.0	295.6°	4.4
WLST	MARINETTE	WI	236	C1	L	204.4	200.0	295.6°	4.4
ALC	FREDERIC	MI	237	A	A	77.6	72.0	43.7°	5.6
WCFX	CLARE	MI	237	A	U	72.2	72.0	143.9°	0.2
WCFX	CLARE	MI	237	A	L	72.2	72.0	143.9°	0.2
WJZJ	GLEN ARBOR	MI	238	C2	U	87.0	55.0	322.4°	32.0
WJZJ	GLEN ARBOR	MI	238	C2	L	80.9	55.0	319.3°	25.9

Cadillac, MI CH. 236A 3.16mv

