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March 25, 2002

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, N.W.  
Washington, DC 20554

RECEIVED

MAR 25 2002

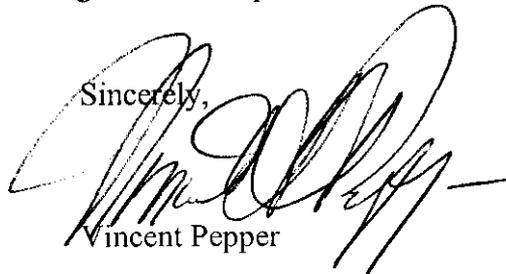
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: Amendment of Section 73.202(b)  
FM Table of Allotments  
Lake City, Tennessee**

Dear Mr. Caton:

Transmitted herewith on behalf of Ronald C. Meredith is an original and four (4) copies of his Petition for Rule Making seeking allotment of Channel 244A to Lake City, Tennessee.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,  
  
Vincent Pepper

Enclosures

No. of Copies rec'd 074  
List ABCDE MMB

02-97

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

In the Matter of )  
 )  
 Amendment of Section 73.202(b) ) MM Docket No. \_\_\_\_\_  
 Table of Allotments ) RM No. \_\_\_\_\_  
 FM Broadcast Stations )  
 (Lake City, Tennessee) )

**RECEIVED**

**MAR 25 2002**

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

To: Chief, Allocations Branch

**PETITION FOR RULE MAKING**

Ronald C. Meredith, by his attorneys, pursuant to Sections 1.401 and 1.420(i) of the Commission's rules, hereby seeks the commencement of a rule making proceeding to amend the Table of Allotments for FM Broadcast Stations, 47 C.F.R. 73.202(b), to specify Channel 244A at Lake City, Tennessee, as its first local aural transmission.<sup>1/</sup> As shown in the attached Technical Statement, this allotment may be made in compliance with the Commission's current separation and allocation requirements. In support whereof, the following is submitted:

1. Ronald C. Meredith requests that the FM Table of Allotments be amended as follows:

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>
Lake City, TN	- - -	244A

2. As part of this process, station WDOD(FM), Chattanooga, Tennessee, will need to be downgraded from Class C to a Class C0 facility. See Technical Statement at Exhibit 1B. Such action is both proper and consistent with the Commission's actions in In the Matter of 1998 Biennial Regulatory Review -- Streamlining of Radio Technical Rules in Parts 73 and 74 of the

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<sup>1/</sup> The proposed coordinates for Channel 244A at Lake City, Tennessee are 36° 11' 54" North Latitude and 84° 13' 51" West Longitude.

Commission's Rules, MM Docket No. 98-93, 15 FCC Rcd 21649, 21662 (2000) where it noted that a downgrade from Class C to Class C0 would be appropriate where “the reclassification procedure will be triggered only where a specific, bona fide demand for the spectrum is expressed, i.e., an application for construction permit is filed that is short-spaced to the Class C station but would be fully spaced to a Class C0 assignment.” Thus, while the proposal to downgrade is actually made at the time of filing the construction permit, Mr. Meredith submits that the proposed downgrade is entirely consistent with the Commission’s policies and so routine in nature as to create no obstacle to the proposed allotment.

3. Lake City, Tennessee is a community for allotment purposes. Lake City is an incorporated place with a population of 1,888 persons (2000 U.S. Census). See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88, 100 (1982) (requirement of an allotment to a community is generally satisfied if the community is either incorporated or listed in the U.S. Census).

4. Lake City, Tennessee is self-governing with its own Mayor, City Council, Fire Department, Chamber of Commerce, and public schools. There are numerous organizations and businesses located in Lake City. A number of these organizations and businesses incorporate "Lake City" in their names (e.g., Lake City Hardware, Lake City Health Care Center, Lake City Market Freeway Oil Co., Inc., etc.). See Kenansville, Florida, 10 FCC Rcd 9831 (1995) (existence of a number of organizations incorporating the community's name is indicative of community status).

5. Allocation of Channel 244A to Lake City would result in a preferential arrangement of allotments, pursuant to Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982); Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989). The substitution would provide Lake City, Tennessee with its first local aural transmission service, fulfilling the Commission's third priority for FM allocations.

6. There will be no short spacing between facilities at the proposed site and other existing facilities as a result of this modification. See Technical Statement at 1. Adoption of this proposal will not affect any existing contour protections and no new short spacings will result. See Exhibit 1A.

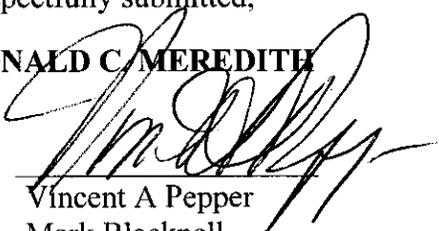
7. The proposed allocation site will provide a 70 dBu service to all of Lake City, Tennessee, and a 60 dBu service to an area of 16,736 square kilometers which includes a 2000 Census population of 239,426. See Technical Statement at Exhibit 3. Thus, the objectives of 47 U.S.C. 307(b) would be served by allocating Channel 244A to Lake City, Tennessee.

8. Ronald C. Meredith certifies that he has a present intention to apply for the new channel when allotted, and when authorized will construct the facilities promptly and commence operation on Channel 244A at Lake City, Tennessee.

WHEREFORE, for the foregoing reasons, it is respectfully requested that the Commission commence a rule making proceeding to allot Channel 244A to Lake City, Tennessee.

Respectfully submitted,

**RONALD C. MEREDITH**

By: 

Vincent A Pepper  
Mark Blacknell  
His Attorneys

Womble Carlyle Sandridge  
& Rice, PLLC  
1401 Eye Street, N.W.  
Seventh Floor  
Washington, DC 20005  
(202) 857-4400

March 22, 2002

**Ronald C. Meredith  
Lake City, Tennessee.  
Channel 244A  
March - 2002**

**Technical Statement:**

The Following technical exhibit and statement has been prepared on behalf of Ronald C. Meredith. The purpose is a proposed rule making to allot channel 244A to Lake City, Tennessee. Attached as exhibit 4 is a topographic map showing the exact location of the proposed tower site.

**Proposed City:**

Lake City, Tennessee presently does not employ any local service. This proposal will offer first local service to Lake City. The applicant does concede a rescinded CP issued to American Family Association for a NCE station on 90.7 MHz. Lake City, TN., located in Anderson county, Tennessee, is an incorporated city with a fully active city government. According to the 2000 Census data, The population of Lake City is 1,888 persons. Lake City has it's own police, fire, water, and sanitation departments as well as it own US Post Office (37769) and many businesses and houses of worship.

**Technical Spacing Concerns:**

Exhibit-1A is a spacing study from the proposed site. This exhibit clearly shows that the proposed site is fully spaced to any other operating or proposed FM facility other the WDODFM, Chattanooga, Tennessee. This action proposes to down class WDODFM from class C to class C0. With this down class, There are NO spacing concerns from the proposed site. Exhibit - 1B shows WDODFM as a C0 facility.

**Proposed Site:**

Exhibit-2 is a plot showing the 70 dBu Contour and the city of Lake City, Tn. This exhibit clearly shows the entire city will be encompassed by the 70 dBu contour.

**Line-of-Site Study:**

Exhibit-2B is a LOS plot showing the proposed city of license, Lake City, Tn. and the proposed site. This exhibit is offered to show the Commissions staff there are no terrain concerns from the proposed site and the proposed city of license.

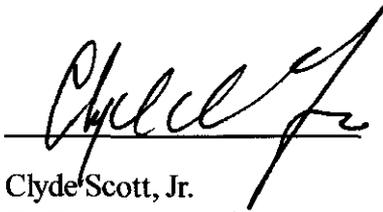
**Persons Gained/Loss:**

Total persons gained by proposal is 239,426 persons. Exhibit-3 is a visual plot showing the proposed 1.0 mV/M (60 dBu) contour, the population, and area within that contour. This exhibit clearly shows that the public interest would be better served by granting this proposal by adding new service to 239,426 persons. There would be no loss to WDODFM since this proposal would only require the reclassification of WDODFM and no other action.

**Ronald C. Meredith  
Lake City, Tennessee.  
Channel 244A  
March - 2002**

**Conclusion:**

Ronald C. Meredith proposes to allocate channel 244A and designate Lake City, Tennessee as the city of license. The attached technical statement and exhibits, in support of this proposal clearly show the public interest would be better served by granting the proposal. Once granted, Clinton Broadcasters, Inc. will prepare, and file, FCC Form 301 to request a construction permit, and commence operation of the station at once.



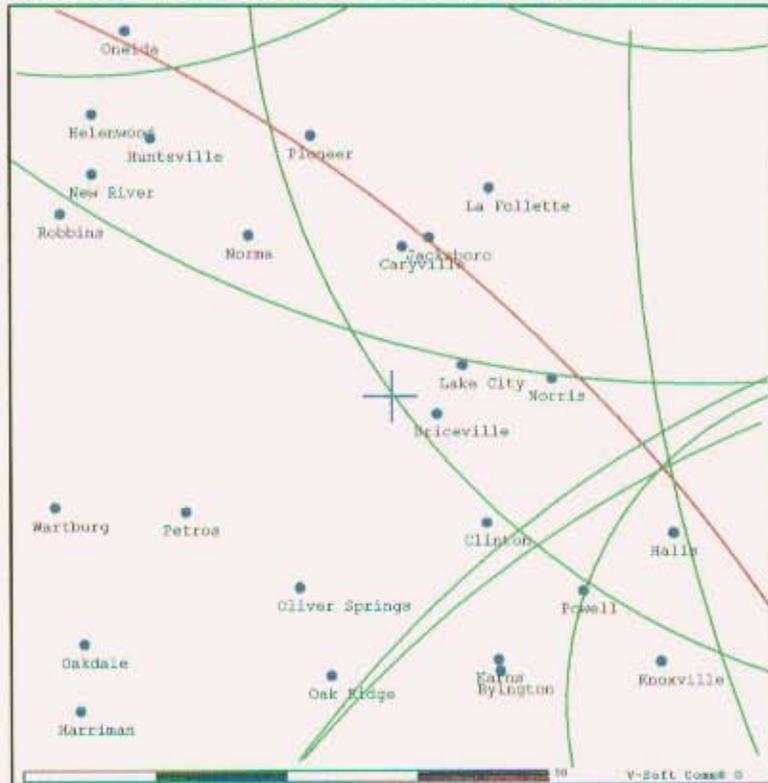
Clyde Scott, Jr.  
EME Communications  
293 JC Saunders Road  
Moultrie, GA 31768  
229-890-2506  
229-985-0864 Fax  
cscott@emecom.com

EXHIBIT - 1A  
 SPACING STUDY FROM PROPOSED SITE WITH WDOD AS C.

FMCONT<sup>(TM)</sup> LOCATE STUDY

Ch 244 A  
 96.7 MHz

N. Lat. 36 11 54  
 W. Lng. 84 13 51



Call	CH#	Location		D-KM	Azi	FCC	Margin
WDODFM	243C*	Chattanooga	TN	151.55	220.8	165.0	-13.45
WDODFM	243C*	Chattanooga	TN	151.55	220.8	165.0	-13.45
WXJB	243A	Harrogate	TN	72.18	53.9	72.0	0.18
ALLO	244A	Annville	KY	119.86	14.4	115.0	4.86
ALLO	244A	Annville	KY	119.86	14.4	115.0	4.86
WNCCFM	244A	Franklin	NC	132.43	141.3	115.0	17.43
WNCCFM	244A	Franklin	NC	134.44	144.4	115.0	19.44
WJBZFM	242A	Seymour	TN	55.63	121.2	31.0	24.63
WXBQFM	245C	Bristol	TN	189.89	81.5	165.0	24.89
WSEK	246C2	Somerset	KY	89.88	340.5	55.0	34.88
WKKQ	241C3	Barbourville	KY	79.76	21.7	42.0	37.76
WBVRFM	244C2	Auburn	KY	223.69	294.3	166.0	57.69
WCTTFM	297C2	Corbin	KY	79.27	9.6	15.0	64.27
WYSE	243C3	Biltmore Fores	NC	155.95	115.3	89.0	66.95

EXHIBIT - 1B  
 SPACING STUDY FROM PROPOSED SITE WITH WDOD AS CO.

FMCONT<sup>(TM)</sup> LOCATE STUDY

Ch 244 A  
 96.7 MHz

N. Lat. 36 11 54  
 W. Lng. 84 13 51

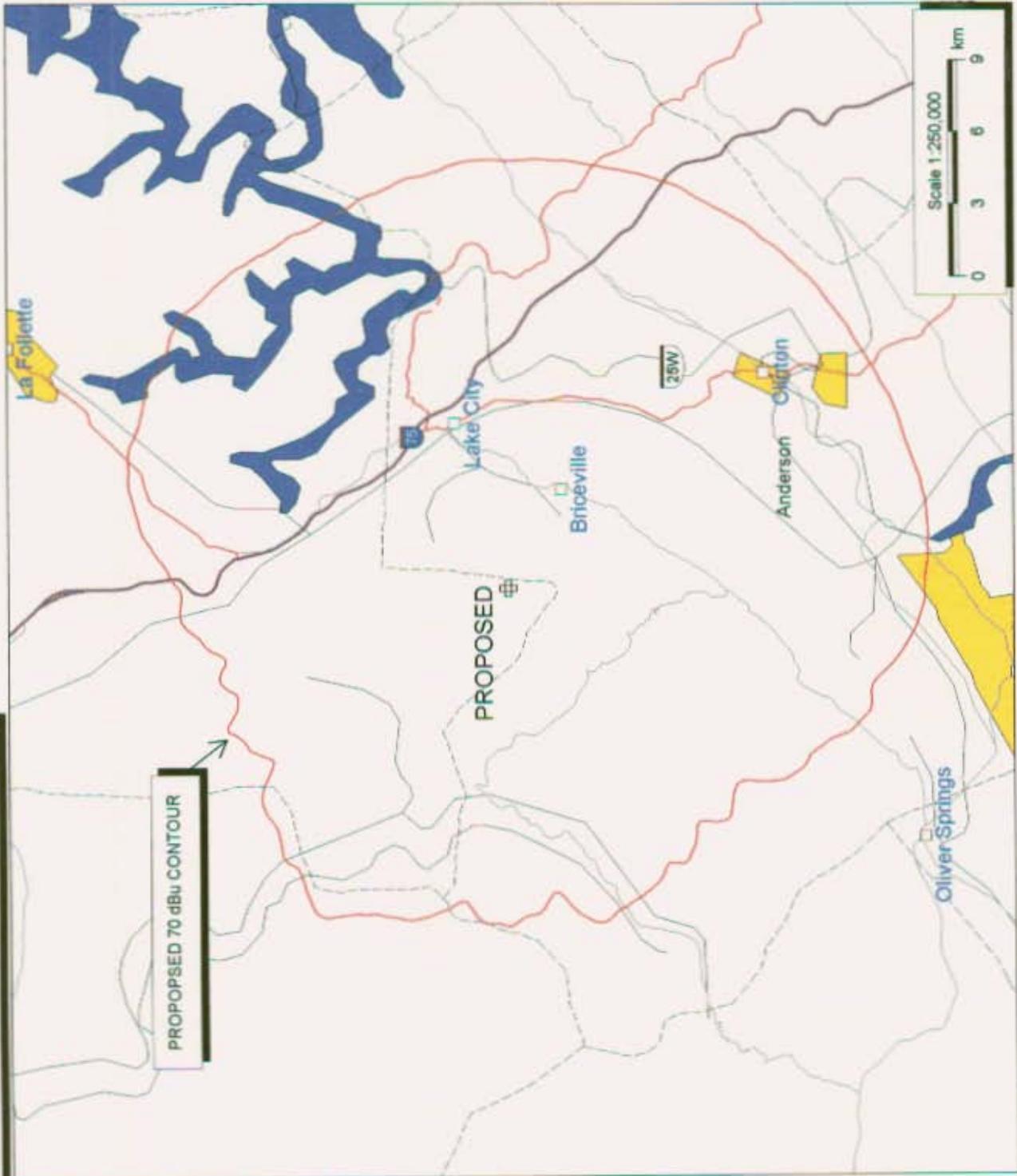


Call	CH#	Location		D-KM	Azi	FCC	Margin
WDODFM	243C0	Chattanooga	TN	151.55	220.8	152.0	-0.45
WDODFM	243C0	Chattanooga	TN	151.55	220.8	152.0	-0.45
WXJB	243A	Harrogate	TN	72.18	53.9	72.0	0.18
ALLO	244A	Annville	KY	119.86	14.4	115.0	4.86
ALLO	244A	Annville	KY	119.86	14.4	115.0	4.86
WNCCFM	244A	Franklin	NC	132.43	141.3	115.0	17.43
WNCCFM	244A	Franklin	NC	134.44	144.4	115.0	19.44
WJBZFM	242A	Seymour	TN	55.63	121.2	31.0	24.63
WXBQFM	245C	Bristol	TN	189.89	81.5	165.0	24.89
WSEK	246C2	Somerset	KY	89.88	340.5	55.0	34.88
WKKQ	241C3	Barbourville	KY	79.76	21.7	42.0	37.76
WBVRFM	244C2	Auburn	KY	223.69	294.3	166.0	57.69
WCTTFM	297C2	Corbin	KY	79.27	9.6	15.0	64.27
WYSE	243C3	Biltmore Fores	NC	155.95	115.3	89.0	66.95

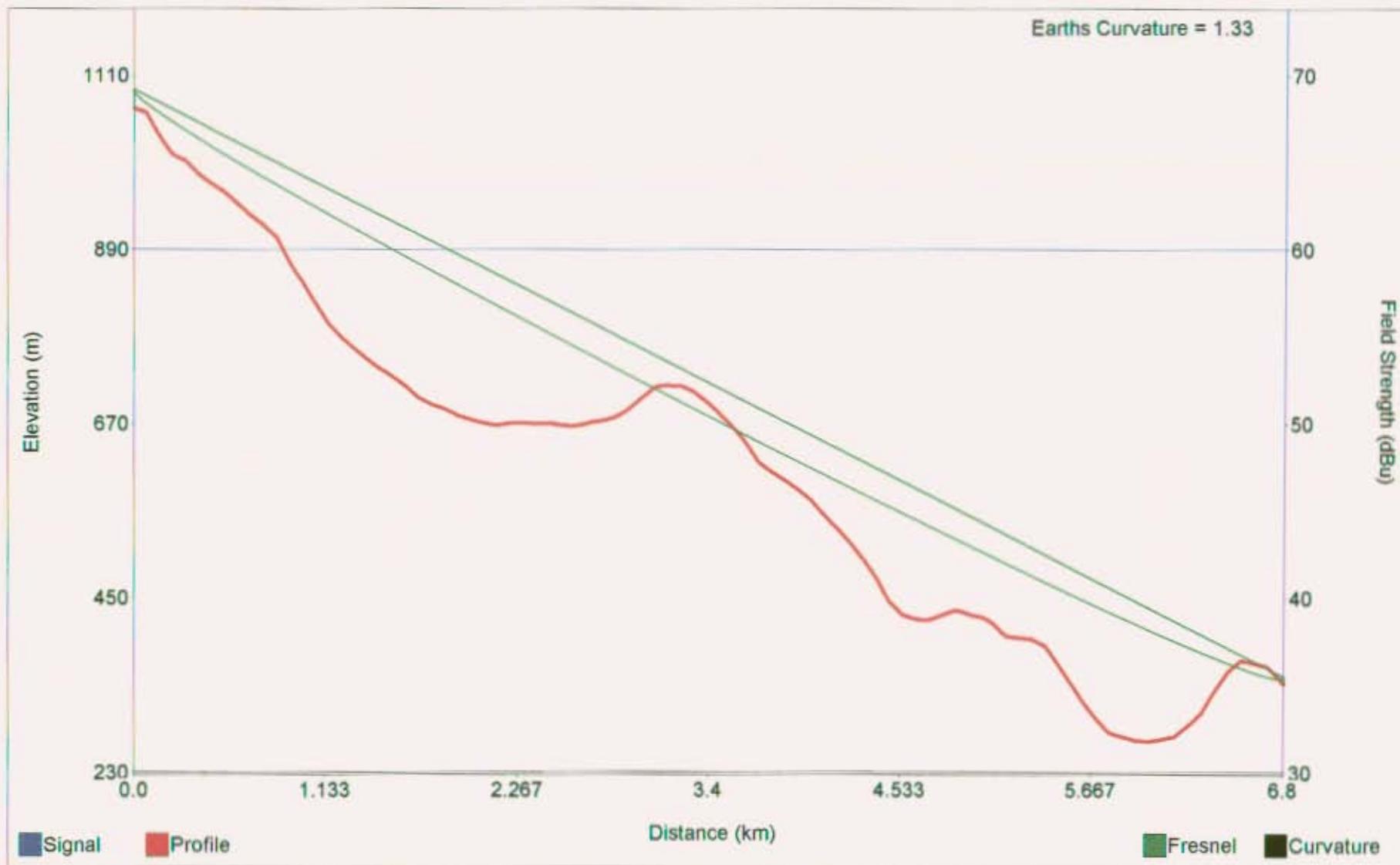
**EME Communications, Moultrie, GA.**

**PROPOSED**  
BLED19661231KA  
Latitude: 36-11-54 N  
Longitude: 084-13-51 W  
Power: 0.15 KW  
Channel: 244  
Frequency: 96.7 MHz  
AMSL Height: 1091.91 m  
Elevation: 1068.53 m  
Horiz. Pattern: Omni  
Vert. Pattern: No  
Prop Model: FCC Contours

**EXHIBIT - 2**



# EXHIBIT - 2B -- LINE-OF-SITE STUDY FROM PROPOSED SITE TO LAKE CITY, TN.



Starting Latitude: 36-11-54 N  
Starting Longitude: 084-13-51 W

End Latitude: 36-12-45.79 N  
End Longitude: 084-09-26.32 W

Distance: 6.80 km  
Bearing: 76.41 deg

Transmitter Height (AG) = 23.4 m  
Receiver Height (AG) = 9.1 m

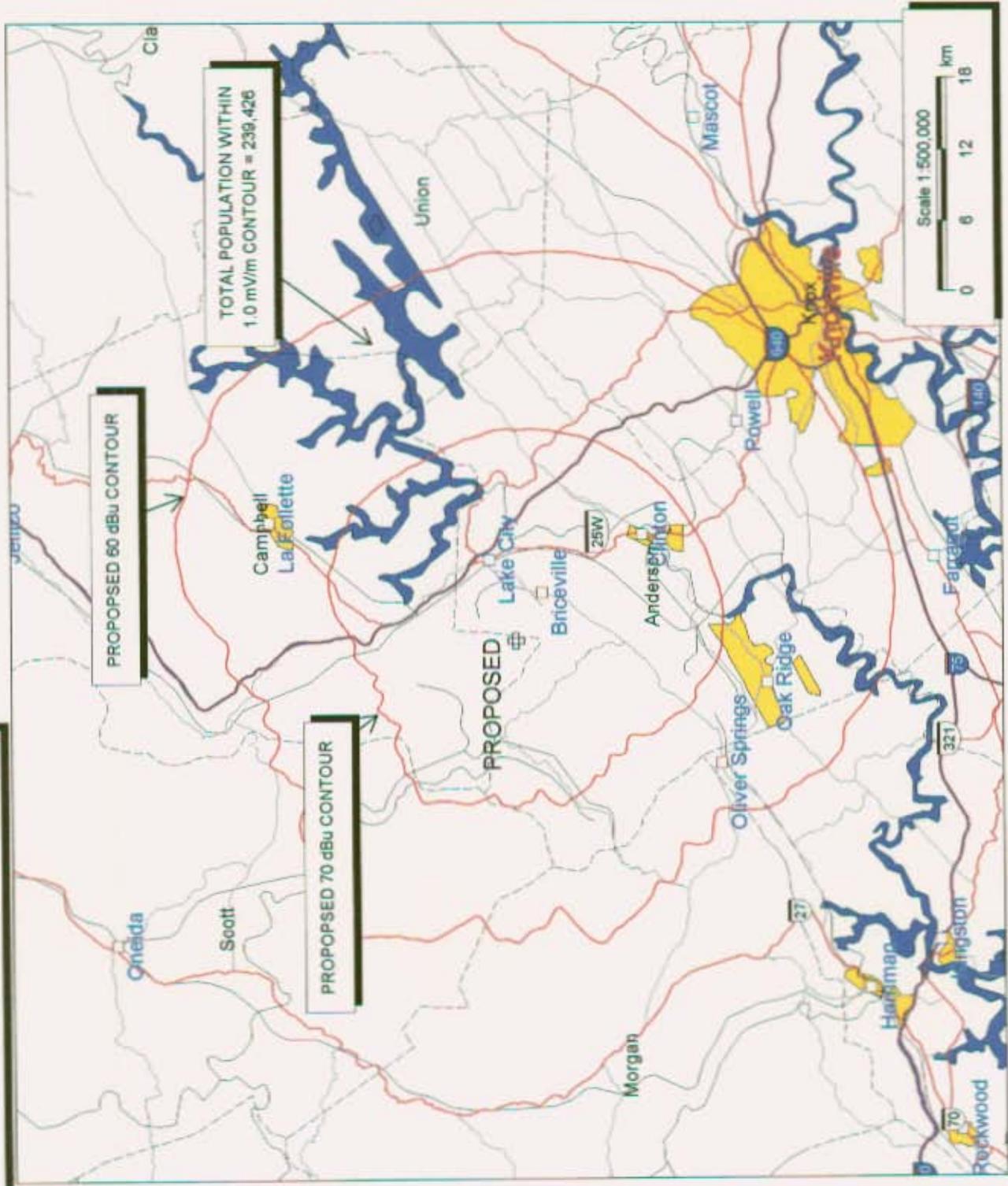
Transmitter Elevation = 1068.1 m  
Receiver Elevation = 341.4 m

Frequency = 96.7 MHz  
Fresnel Zone: 0.6

**EME Communications, Moultrie, GA.**

**PROPOSED**  
BLED19961231KA  
Latitude: 36-11-54 N  
Longitude: 094-13-51 W  
Power: 0.15 KW  
Channel: 244  
Frequency: 96.7 MHz  
AMSL Height: 1091.91 m  
Elevation: 1068.63 m  
Horiz. Pattern: Omni  
Vert. Pattern: No  
Prop Model: FCC Contours

**EXHIBIT - 3**



EME Communications Population Report

Contour Parameters:

Type: FCC Contour  
F(50-50) Cutoff: 60.00 dBu

Population Database: 2000 US Census (PL)

Primary Terrain: V-Soft US 3 Arc-Second Database

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Transmitter Information:

Call Letters: PROPOSED  
File Number: BLED19961231KA  
Latitude: 36-11-54 N  
Longitude: 084-13-51 W  
Power: 0.15 kW  
Channel: 244  
Frequency: 96.7 MHz  
AMSL Height: 1091.91 m  
Elevation: 1068.53 m  
Horiz. Antenna Pattern: Omni  
Vert. Elevation Pattern: No  
-----

Total Population Within Contour: 239,426  
Total Housing Units Within Contour: 0  
Total Area Within Contour: 2542.51 sq. km

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	Housing Units	Population
Tennessee		
Anderson County		
PROPOSED	0	71,330
White:		66,124
Black:		2,749
Hispanic:		787
Native American:		221
Asian:		577
Pacific Islander:		9
Mixed Race:		814
Other:		49
Campbell County		
PROPOSED	0	30,599
White:		29,917

Black:	62
Hispanic:	212
Native American:	95
Asian:	38
Pacific Islander:	14
Mixed Race:	254
Other:	7

Knox County PROPOSED	0	126,563
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White:	118,474
Black:	4,044
Hispanic:	1,289
Native American:	293
Asian:	1,106
Pacific Islander:	36
Mixed Race:	1,224
Other:	97

Morgan County PROPOSED	0	919
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White:	899
Black:	1
Hispanic:	12
Native American:	1
Asian:	0
Pacific Islander:	0
Mixed Race:	6
Other:	0

Roane County PROPOSED	0	5,523
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White:	5,149
Black:	158
Hispanic:	56
Native American:	4
Asian:	103
Pacific Islander:	2
Mixed Race:	48
Other:	3

Scott County PROPOSED	0	769
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White:	756
Black:	0
Hispanic:	3
Native American:	0

Asian:	0
Pacific Islander:	0
Mixed Race:	10
Other:	0

Union County  
PROPOSED

0

3,723

White:	3,647
Black:	3
Hispanic:	40
Native American:	6
Asian:	2
Pacific Islander:	1
Mixed Race:	24
Other:	0

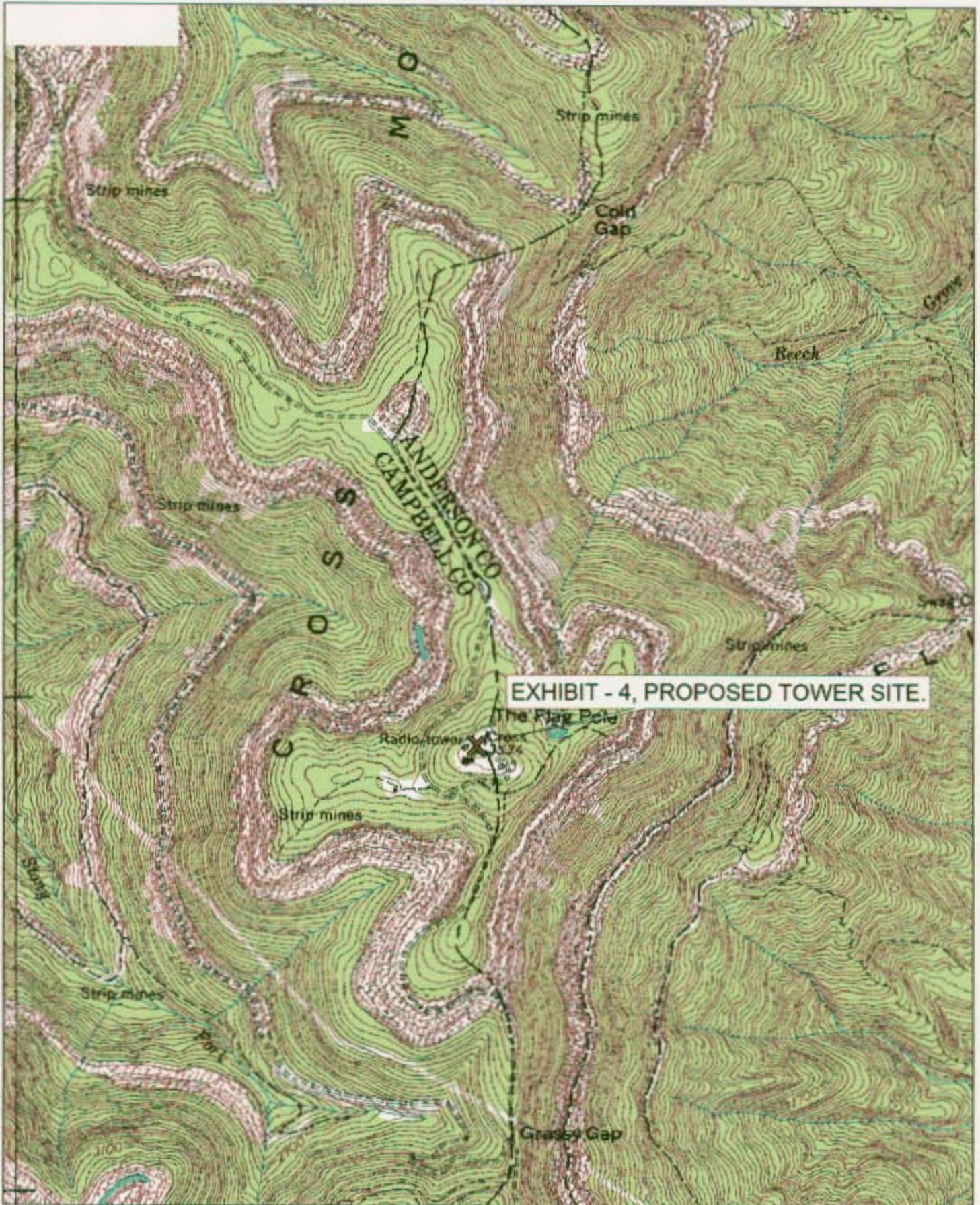


EXHIBIT - 4, PROPOSED TOWER SITE.

## Declarartion of Preparer

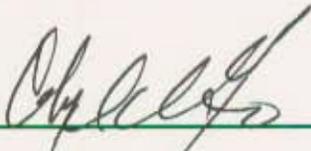
State of Georgia )  
City of Moultrie )  
Colquitt County )

§

Clyde Scott, Jr. ,Under penalty of perjury, declared and says he is a broadcast engineer and president of EME Communications. He has been engaged to prepare the attached technical exhibit.

That his qualifications are a matter of record before the Federal Communications Commission and has been active in the broadcast industry since 1965 and in broadcast engineering since 1972. That He is the holder of General Radiotelephone license no. PG-6-30133.

That the attached technical was either prepared by him or under his direct supervision. All material and exhibits hereto are believed to be true and correct.



Clyde Scott, Jr.  
EME Communications

CERTIFICATE OF SERVICE

I, Lisa A. Blackburn, a secretary with the law firm of Womble Carlyle Sandridge & Rice, PLLC, do hereby certify that a true and correct copy of the foregoing "Petition for Rule Making" was served by U.S. mail, first class, postage-prepaid on the 25<sup>th</sup> day of March 2002, on the following individual:

Coe W. Ramsey, Esq.  
Brooks Pierce McLendon Humphrey & Leonard, LLP  
PO Box 1800  
Raleigh, NC 27602

  
\_\_\_\_\_  
Lisa A. Blackburn