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KMKS - FM
Texas Hot Country 102.5

April 3, 2002

Secretary
Federal Communications Commission
445 12th Street, SW - 7th floor
Washington, DC 20554

Dear Secretary:

Ref: MM Docket No 99-331, RM-9848

Transmitted herewith, on behalf of Sandlin Broadcasting Co., Inc., licensee of radio station KMKS, Bay City, Texas, are an original and four (4) copies of its Opposition to Motion to Strike in the above referenced docket.

Should any additional information be required, please contact me at 979-244-4242 or kay@kmks.com.

Respectfully Submitted.

Margaret K Sandlin

Margaret K. Sandlin
President, Sandlin Broadcasting Co., Inc.

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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))

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

Opposition to Motion to Strike

Sandlin Broadcasting Co., Inc. ("Sandlin") licensee of Station KMKS-FM, Bay City, Texas by its President and Station Manager hereby opposes the Motion To Strike submitted by Garwood Broadcasting Company of Texas ("Garwood") filed on March 28, 2002 in the above captioned proceeding. In brief, the Motion is nothing more than a futile attempt by Garwood to side-step the facts of its Abuse of the Commissions Process and to evade the Public Safety concerns to Sandlin's community, should the Commission adopt the Counterproposal and Amendment in this proceeding. If anything should be stricken in this proceeding it should be Garwood's original Counterproposal and its subsequent expressions of interest which, as Sandlin has demonstrated, defile the integrity of the Commission's allotment procedures. Garwood does not propose to substitute an **equivalent** channel.

There are critical Public Safety Issues in this docket the Motion proposes to strike from the record. Sandlin concedes it did not file its Comments within the time frame pointed out by Garwood. Sandlin will provide an explanation should the Commission directed it to do so. Sandlin concedes the typo on the date of its Comments and Certification as pointed out by Garwood. Sandlin's Letter Comment filed in response to Garwood Reply however was timely filed.

Sandlin has presented the Commission with direct and substantial evidence that Garwood abused the Commission's processes by instigating this rulemaking proceeding and filing expressions of interest which were not bona fide. As such, the public interest requires that the Commission fully consider the important issues first raised by Sandlin in its Comments and elaborated upon in its Petition to Deny.

In sum, Garwood's Motion is nothing more than intended to distract the Commission's attention away from the significant public safety issue and whether Garwood initiated this allotment proceeding in good faith. Sandlin's filings in this proceeding demonstrate that it was not and that, in fact, Garwood has seriously Abused the Commission's Processes. Sandlin respectfully requests that Garwood's Motion be denied.

I verify that the above statement is true and correct to the best of my knowledge and beliefs and is submitted in good faith.

Respectfully submitted,

By Margaret K. Sandlin
Margaret K. Sandlin, President
Sandlin Broadcasting Co., Inc.
P.O. Box 789
Bay City, TX 77404-0789
Ph. 979-244-4242, FAX 979-245-0107, email kay@kmks.com

April 3, 2002

CERTIFICATE OF SERVICE

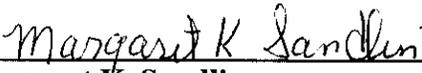
I, Margaret K.. Sandlin, do hereby certify that copies of the foregoing Opposition To Motion to Strike have been served this 3rd. day of April, 2002, upon the following:

Sent by Federal Express Courier To:

**Secretary, Allocations Branch
Policy and Rules Division, Mass Media Bureau
Federal Communications Commission
9300 East Hampton Dr.
Capitol Heights, MD 20743-3847**

Sent by U.S.Postal Service To:

**Robert J. Buenzle
12110 Sunset Hills Road, Suite 450
Reston, Virginia 20190-3223
Counsel For Garwood Broadcasting Company of Texas
and Fort Bend Broadcasting Co., Inc.**


Margaret K. Sandlin
Margaret K. Sandlin