

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

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In the Matter of)
)
) MM Docket No. _____
Amendment of Section 73.202(b),) RM- _____
Table of Allotments)
FM Broadcast Stations)
(Opelika, AL))

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

PETITION FOR RULEMAKING

SSR Communications Incorporated hereby petitions the Federal Communications Commission for the initiation of a rulemaking proceeding to amend the FM Table of Allotments (§73.202(b) of the Commission's Rules) to assign FM Channel 230A to Opelika, Alabama, as that community's *first competing* FM broadcast service, as follows:

| <u>City</u> | <u>Present</u> | <u>Proposed</u> |
|------------------|----------------|-----------------|
| Opelika, Alabama | 244A | 230A, 244A |

1. Opelika is an incorporated community with a 2000 U.S. Census recorded population of 23,498 persons. Opelika is a bona-fide community for allotment purposes: it is home to current FM station WMXA as well as two AM stations (WANI and WTLM).

2. As indicated in the attached Engineering Statement (attached hereto as Exhibit 1), Channel 230A can be assigned to Opelika using the reference site 32-38-30 N, 85-23-50 W. These reference coordinates require no site restriction. At the reference

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site, all minimum distance separation requirements of §73.202(b) of the Commission's Rules are met, as well as the principal community contour coverage requirements of §73.315. This allotment *does* short-space station WSTR (Smyrna, GA) on 231C by more than 9 kilometers. WSTR, at present, does not meet the Commission's requirements for a full class C station. SSR proposes that the station be downgraded to Class C0 status. SSR wishes the Commission to put forth a Show Cause Order to WSTR and allowing it the requisite 30-day window to express in writing its intention to file for full class C status. Absent of such expression, SSR wishes for the Commission to downgrade WSTR's status to C0.

3. In the event that Channel 230A be allotted to Opelika, Alabama, SSR Communications Incorporated will file an application (Form 301) for a Construction Permit to operate a new FM broadcast station at Opelika and, if authorized, will build the station promptly.

Dated: May 22, 2002

SSR Communications Incorporated
5270 West Jones Bridge Road
Norcross, GA 30092-1628
(770) 447-0026

Respectfully submitted,

SSR Communications Incorporated

By 

Matthew K. Wesolowski
General Manager

SSR Communications Incorporated
Petition for Rulemaking
May 22, 2002

EXHIBIT 1
Site Map and Separation Requirements

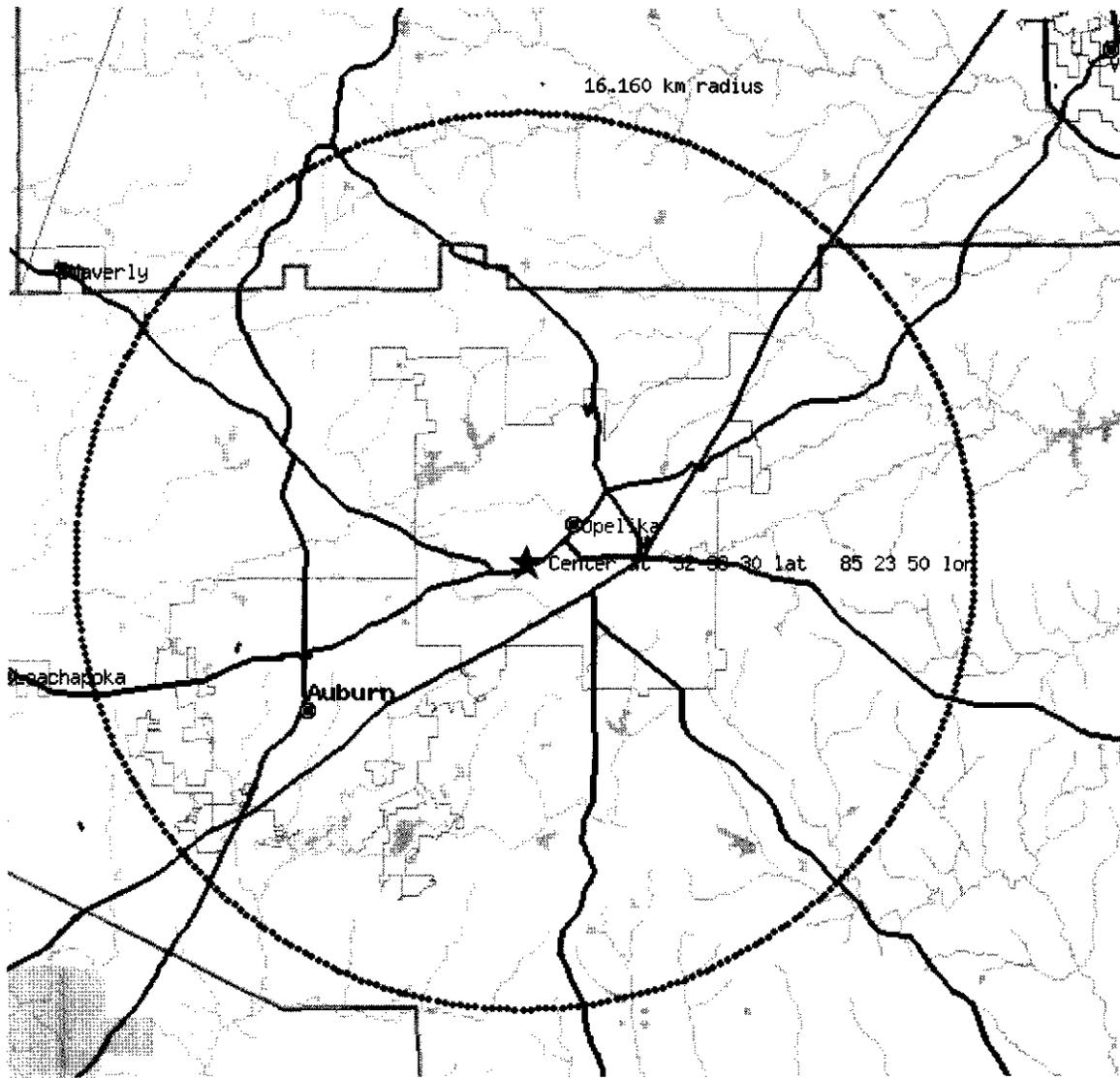


FIGURE 1 - SITE MAP

Proposed Channel 230A (93.9 MHz) Opelika, AL
70 dBu Contour

TABLE 1 - ALLOCATION STUDY

Location: Opelika, AL
 (Reference Site: 32-38-30 N, 85-23-50 W)
 Channel: 230A (93.9 MHz)
 Database: 05/21/2002

ALL DISTANCES GIVEN IN KILOMETERS

| | | | | | | | Distance | Required | Difference | |
|---------|-----|---------|--------|---------------|----|--|----------|----------|------------|---------|
| -- | 231 | 94.1 C | FA USE | SMYRNA | GA | | 155.60 | 165.00 | 9.40 | * short |
| WSTR | 231 | 94.1 C | FM LIC | SMYRNA | GA | | 158.68 | 165.00 | 6.32 | * short |
| PROP | 231 | 94.1 C0 | FA USE | SMYRNA | GA | | 155.60 | 152.00 | -3.60 | close |
| PROP | 231 | 94.1 C0 | FM LIC | SMYRNA | GA | | 158.68 | 152.00 | -6.68 | okay |
| WSFU-FM | 231 | 94.1 A | FM LIC | UNION SPRINGS | AL | | 71.62 | 72.00 | 0.38 | close |
| -- | 231 | 94.1 A | FA USE | UNION SPRINGS | AL | | 71.62 | 72.00 | 0.38 | close |
| WDJC-FM | 229 | 93.7 C | FM LIC | BIRMINGHAM | AL | | 164.63 | 165.00 | 0.37 | close |
| -- | 229 | 93.7 C | FA USE | BIRMINGHAM | AL | | 164.63 | 165.00 | 0.37 | close |
| WDJC-FM | 229 | 93.7 C | FS CP | BIRMINGHAM | AL | | 164.63 | 165.00 | 0.37 | close |
| -- | 227 | 93.3 C1 | FA USE | MANCHESTER | GA | | 75.91 | 75.00 | -0.91 | close |
| WVFJ-FM | 227 | 93.3 C1 | FM LIC | MANCHESTER | GA | | 76.69 | 75.00 | -1.69 | close |
| -- | 232 | 94.3 L1 | FL APP | AUBURN | AL | | 6.22 | 0.00 | -6.22 | okay |
| WVFJ-FM | 227 | 93.3 C1 | FM APP | MANCHESTER | GA | | 82.51 | 75.00 | -7.51 | okay |
| -- | 229 | 93.7 L1 | FL APP | AUBURN | AL | | 7.79 | 0.00 | -7.79 | okay |
| -- | 230 | 93.9 L1 | FL APP | AUBURN | AL | | 7.79 | 0.00 | -7.79 | okay |
| -- | 232 | 94.3 L1 | FL APP | AUBURN | AL | | 7.79 | 0.00 | -7.79 | okay |
| -- | 233 | 94.5 L1 | FL APP | AUBURN | AL | | 7.79 | 0.00 | -7.79 | okay |
| -- | 233 | 94.5 L1 | FL APP | AUBURN | AL | | 8.76 | 0.00 | -8.76 | okay |
| -- | 232 | 94.3 L1 | FL APP | AUBURN | AL | | 9.01 | 0.00 | -9.01 | okay |
| WMTM-FM | 230 | 93.9 C1 | FM LIC | MOULTRIE | GA | | 219.58 | 200.00 | -19.58 | okay |
| -- | 230 | 93.9 C1 | FA USE | MOULTRIE | GA | | 225.80 | 200.00 | -25.80 | okay |

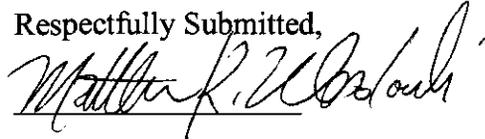
* = will be avoided withWSTR downgrade to C0 status

CERTIFICATION

I certify that I have directly prepared or supervised the preparation of this entire document. Although I have received no legal counsel on the authoring of this Petition for Rule Making, I believe it to be accurate and true, to the best of my knowledge.

Date: May 22, 2002

Respectfully Submitted,



Matthew K. Wesolowski
General Manager
SSR Communications, Inc.
5270 West Jones Bridge Road
Norcross, GA 30092-1628

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