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July 15, 2002

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FEDERAL COMMUNICATIONS COMMISSION
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BY HAND DELIVERY

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

Re: **Comments of Sutton Radio Company**
MM Docket No. 02-125, RM-10447
Sutton, Nebraska

Dear Ms. Dortch:

Enclosed herewith, on behalf of Sutton Radio Company, are an original and four copies of its Comments in the above-referenced rulemaking proceeding.

An extra copy of this filing, marked 'Please Stamp and Return This Copy to Fletcher, Heald & Hildreth,' is enclosed. Please date-stamp this copy and return it with the messenger.

Should there be any questions regarding this matter, kindly communicate directly with the undersigned.

Very truly yours,
FLETCHER, HEALD & HILDRETH, P.L.C.


Alison J. Shapiro
Counsel for Sutton Radio Company

Enclosure

cc: Mr. John A. Karousos (w/encl.)
Ms. Deborah A. Dupont (w/encl.)

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

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JUL 15 2002

In the Matter of)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations.)
(Sutton, Nebraska))

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MM Docket No. 02-125
RM-10447

To: Chief, Allocations Branch

COMMENTS OF SUTTON RADIO COMPANY

Sutton Radio Company ("Sutton"), by counsel, and pursuant to Section 1.415 of the Commission's rules, hereby respectfully submits these comments in response to the Commission's Notice of Proposed Rulemaking (the "Notice")¹, released May 24, 2002, in the above-captioned proceeding. The Notice proposes to amend the FM Table of Allotments by allotting Channel 278C2 at Sutton, Nebraska. Thus, the Notice proposes to amend Section 73.202(b) of the Commission's rules as follows:

Channel No.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Sutton, Nebraska	-----	278C2

As stated in the Notice, Channel 278C2 can be allotted to Sutton, Nebraska, consistent with the requirements of Sections 73.207(b)(1) and 73.315(a) of the Commission's rules, with a site restriction of 17.1 kilometers west of Sutton. The allotment of Channel 278C2 at Sutton, Nebraska will provide Sutton with its first local aural transmission service. Currently, there are no other commercial or noncommercial stations licensed to Sutton. Thus, the addition of this

¹ In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Sutton, Nebraska), MM Docket No. 02-125, RM-10447 (released May 24, 2002).

allotment at Sutton will promote the objectives of Section 307(b) of the Communications Act by seeking to achieve a fair, efficient and equitable distribution of broadcast stations among the various states and communities. 47 U.S.C. § 307(b). Clearly, as an important government and business center in the area, Sutton is in need of a local FM station to provide an outlet for local expression.

In the event that this petition requesting the allotment of Channel 278C2 at Sutton, Nebraska is granted, Petitioner will promptly file an application for a construction permit for the new channel and, if granted, will construct and operate the FM broadcast station at Sutton, Nebraska.

WHEREFORE, in light of the foregoing, Sutton Radio Company, respectfully requests that the Commission AMEND the FM Table of Allotment, and ALLOT Channel 278C2 at Sutton, Nebraska.

Respectfully submitted,
SUTTON RADIO COMPANY

By: 
Frank R. Jazzo
Alison J. Shapiro
Its Counsel

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July 15, 2002

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