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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
Table of Allotments,)	MM Docket No. 02-76
FM Broadcast Stations.)	RM-10405
(Crisfield, Maryland))	
)	
TO: Assistant Chief, Audio Division)	

COMMENTS OF BAY BROADCASTING, INC.

Bay Broadcasting, Inc. ("Bay"), by its attorney, hereby respectfully submits the following Comments on the Counterproposal filed in this proceeding by Commonwealth Broadcasting, L.L.C. and Sinclair Telecable, Inc. dba Sinclair Communications:

1. This proceeding started out as a simple proceeding to substitute Channel 250A for Channel 245A at Crisfield, Maryland. However a complex counterproposal has been filed and, by Report No. 2559, released July 1, 2002, the FCC has given parties 15 days in which to comment on the counterproposal.

2. Attached hereto is an engineering report demonstrating that by allocating Channel 252B1 or 252A to Belle Haven, Virginia, instead of Channel 250B1 (as proposed by Commonwealth Broadcasting, L.L.C.), the substitution of Channel 250A for Channel 245A at Crisfield can be accomplished, while still allowing the other elements of the counterproposal to be accomplished. Bay suggests, therefore, that Channel 252B1 or 252A be allocated to Belle Haven instead of Channel

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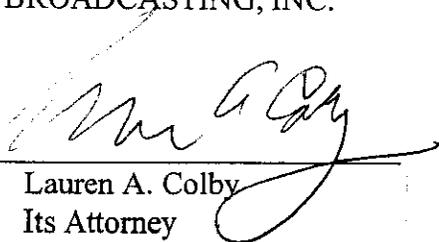
250B1.

July 11 , 2002

Law Office of
LAUREN A. COLBY
10 E. Fourth Street
P.O. Box 113
Frederick, MD 21705-0113

Respectfully submitted,

BAY BROADCASTING, INC.

By: 

Lauren A. Colby
Its Attorney

Statement of Engineering

The office of Munn-Reese, Inc. has been retained to prepare this engineering statement in response to a counterproposal rulemaking under consideration by Commonwealth Broadcasting, LLC. "Commonwealth" to amend the FM Table of Allotments found in 47 CFR §73.202(b). This counterproposal was filed against the allotment of Channel 250A for Channel 245A at Crisfield, MD under MB Docket No. 02-76.

The Commonwealth counterproposal suggested a series of rulemakings effectively resulting in the present Channel 245A - Crisfield, MD allocation remaining on Channel 245A and instead proposing a new Channel 250 - Belle Haven, VA allotment.

An alternate frequency for Belle Haven, VA exists on Channel 252 as either a Class A or B1 facility which will allow the balance of Commonwealth Rulemakings and the Crisfield, MD Channel 245A to Channel 250A move to take place. **Figure 1.0** is a tabulation of the Belle Haven, VA Channel 252A allocation from the Belle Haven, VA city reference point. This point is located in an open area, which is fully spaced to all allotments within the allocation. (Commonwealth proposes to relocate a vacant allotment for Channel 252A - Nassawadox, VA to Channel 290A.) **Figure 2.0** is a tabulation of the Belle Haven, VA Channel 252B1 allocation from an alternate reference point as chosen. The Class B1 open area exists, however all points within the area are most likely not viable site locations due to wetland issues. This does not necessarily negate a Class B1 allocation as the facility could still be built under §73.215 concerning short spaced situations should a viable site be located.

With the exception of this Channel 250 - Belle Haven, VA to Channel 252 substitution, no other changes in the Commonwealth counterproposal are submitted.

CERTIFICATION OF ENGINEERS

The firm of Munn-Reese, Inc.; Broadcast Engineering Consultants, with offices at 100 Airport Drive, Coldwater, Michigan, has been retained for the purpose of preparing the technical data forming this report.

The data utilized in this report was taken from the FCC Secondary Database and data on file. While this information is believed accurate, errors or omissions in the database and file data are possible. This firm may not be held liable for damages as a result of such data errors or omissions.

The report has been prepared by properly trained electronics specialists under the direction of the undersigned whose qualifications are a matter of record before the Federal Communications Commission.

I declare under penalty of perjury that the contents of this report are true and accurate to the best of my knowledge and belief.

June 14, 2002

MUNN-REESE, INC.

By Wayne S. Reese
Wayne S. Reese, President

By Justin W. Asher
Justin W. Asher, Project Engineer

100 Airport Drive, PO Box 220
Coldwater, Michigan 49036
Telephone: 517-278-7339

MUNN-REESE, INC.
Broadcast Engineering Consultants
Coldwater, MI 49036

Figure 1.0
Tabulation of Alternate Belle Haven, VA Class A Allocation

REFERENCE 37 33 14 N CLASS = A DISPLAY DATES
 75 49 14 W Current Spacings DATA 06-07-02
 Channel 252 - 98.3 MHz SEARCH 06-14-02

Call	Channel	Location	Dist	Azi	FCC	Margin	
N. Lat.	W. Lng.	Power	HAAT				
ALLO*	VAC 252A	Nassawadox	VA	9.54	200.4	115.0	-105.46
37 28 24	75 51 30	6.000 kW		100 M			
RM9548							
A Filing Window for this Channel will be Opened by the Commission in a Subsequent Order.							
RADD	ADD 250A	Crisfield	MD	42.04	14.6	31.0	11.04
37 55 13	75 41 59	6.000 kW		100 M			
RADD	ADD 250A	Crisfield	MD	42.14	15.9	31.0	11.14
37 55 08	75 41 20	6.000 kW		100 M			
WSMDFM LIC	252A	Mechanicsville	MD	127.05	319.1	115.0	12.05
38 24 49	76 46 31	CN 3.000 kW		100 M			
Somar Communications, Inc. BLH19880913KA							
WNOR LIC	254B	Norfolk	VA	89.29	206.6	69.0	20.29
36 50 03	76 16 12	CN 46.000 kW		158 M			
Tidewater Communications, BLH19810406AH							
WTVRFM LIC	251B	Richmond	VA	146.34	271.1	113.0	33.34
37 34 00	77 28 36	HN 50.000 kW		256 M			
Clear Channel Broadcasting BLH1944							
Grandfathered at 50 kW ERP at 256 meters HAAT							
WOCM LIC	251A	Selbyville	DE	113.43	31.5	72.0	41.43
38 25 20	75 08 23	CN 3.000 kW		100 M			
Anchor Broadcasting, Limit BLH20010410ADH							
WOCM.C CP	251A	Selbyville	DE	113.43	31.5	72.0	41.43
38 25 20	75 08 23	CX 3.000 kW		143 M			
Anchor Broadcasting, Limit BPH20010713ABH							
WGBG LIC	253A	Seaford	DE	119.34	9.8	72.0	47.34
38 36 47	75 35 12	CN 6.000 kW		98 M			
Great Scott Broadcasting BLH19980605KE							
One-Step Application from Channel 252A							
WSBYFM LIC	255A	Salisbury	MD	84.52	11.4	31.0	53.52
38 18 00	75 37 41	CN 6.000 kW		99 M			
Capstar Tx Limited Partner BLH19900122KA							
WDLZ LIC	252A	Murfreesboro	NC	170.28	223.7	115.0	55.28
36 26 24	77 08 10	CN 3.000 kW		87 M			
Team Broadcasting, L.l.c. BLH4573							

* Counterproposal to relocate ALLO 252A to 290A as considered by Commonwealth Broadcasting, LLC.

MUNN-REESE, INC.
 Broadcast Engineering Consultants
 Coldwater, MI 49036

Figure 2.0

Tabulation of Alternate Belle Haven, VA Class B1 Allocation

REFERENCE 37 22 00 N CLASS = B1 DISPLAY DATES DATA 06-07-02
 75 50 13 W Current Spacings SEARCH 06-13-02
 ----- Channel 252 - 98.3 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
N. Lat.	W. Lng.	Power	HAAT			
ALLO*	VAC 252A	Nassawadox	VA	11.98	350.9	142.5 -130.52
37 28 24	75 51 30	6.000 kW	100 M			
		RM9548				
A Filing Window for this Channel will be Opened by the Commission in a Subsequent Order.						
WSMDFM LIC 252A	Mechanicsville	MD	142.53	325.0	142.5	0.03
38 24 49	76 46 31	CN 3.000 kW	100 M			
	Somar Communications, Inc.	BLH19880913KA				
WNOR LIC 254B	Norfolk	VA	70.53	213.1	70.5	0.03
36 50 03	76 16 12	CN 46.000 kW	158 M			
	Tidewater Communications,	BLH19810406AH				
WTVRFM LIC 251B	Richmond	VA	146.75	279.2	144.5	2.25
37 34 00	77 28 36	HN 50.000 kW	256 M			
	Clear Channel Broadcasting	BLH1944				
Grandfathered at 50 kW ERP at 256 meters HAAT						
WDLZ LIC 252A	Murfreesboro	NC	154.87	228.7	142.5	12.37
36 26 24	77 08 10	CN 3.000 kW	87 M			
	Team Broadcasting, L.l.c.	BLH4573				
RADD ADD 250A	Crisfield	MD	62.62	11.1	47.5	15.12
37 55 13	75 41 59	6.000 kW	100 M			
RADD ADD 250A	Crisfield	MD	62.66	11.9	47.5	15.16
37 55 08	75 41 20	6.000 kW	100 M			
WOBXFM CP 251C2	Manteo	NC	167.54	174.2	133.5	34.04
35 51 52	75 39 01	CN 50.000 kW	90 M			
	East Carolina Radio, Inc.	BPH19930309MI				
WOBXFM LIC 251C2	Manteo	NC	167.54	174.2	133.5	34.04
35 51 52	75 39 01	C 40.000 kW	71 M			
	East Carolina Radio, Inc.	BLH20010607AAN				
WOCM.C CP 251A	Selbyville	DE	132.23	27.3	95.5	36.73
38 25 20	75 08 23	CX 3.000 kW	143 M			
	Anchor Broadcasting, Limit	BPH20010713ABH				
WOCM LIC 251A	Selbyville	DE	132.23	27.3	95.5	36.73
38 25 20	75 08 23	CN 3.000 kW	100 M			
	Anchor Broadcasting, Limit	BLH20010410ADH				

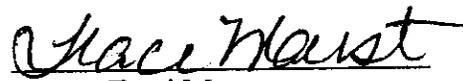
* Counterproposal to relocate ALLO 252A to 290A as considered by Commonwealth Broadcasting, LLC.

MUNN-REESE, INC.
 Broadcast Engineering Consultants
 Coldwater, MI 49036

CERTIFICATE OF SERVICE

I, Traci Maust, a secretary in the law office of Lauren A. Colby, do hereby certify that copies of the foregoing have been sent via facsimile and first class, U.S. mail, postage prepaid, this 11th day of July, 2002, to the following:

Howard M. Weiss, Esq.
Fletcher, Heald & Hildreth
11th Floor
1300 North 17th Street
Arlington, VA 22209


Traci Maust