

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

RECEIVED

AUG - 6 2002

In re:	}	
	}	
Amendment of Section 73.202(b)	}	
Table of Allotments,	}	MM Docket No. 00-69
FM Broadcast Stations.	}	RM-9850
(Cheboygan, Rogers City, Bear Lake,	}	RM-9945
Bellaire, Rapid River, Manistique,	}	RM-9946
Ludington, Walhalla and	}	
Onaway, Michigan)	}	

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Audio Division  
Media Bureau

**OPPOSITION TO PETITION FOR RECONSIDERATION**

Northern Radio of Michigan, Inc. ("Northern"), pursuant to Section 1.429(f) of the Commission's rules, hereby opposes the Petition for Reconsideration (the "Petition") filed in this proceeding on July 3, 2002 by Fort Bend Broadcasting Company ("Fort Bend").

**Background**

Northern filed its own Petition for Reconsideration on June 28, 2002.<sup>1</sup> Therein, Northern showed that its timely filed Reply Comments, raising a Section 73.315(b) (line-of-sight) issue about Fort Bend's counterproposal for Bellaire, Michigan, had erroneously not been considered or even mentioned in the *Report and Order* ("R&O") (DA 02-1156, released May 17, 2002). Northern's Petition for Reconsideration was predicated on the expectation that Fort Bend would, as it now has in its Petition, point out that the sole basis stated in the R&O for denial of its Bellaire counterproposal—that Channel 291A could not be assigned to Bear Lake, Michigan as

---

<sup>1</sup> Northern's original petition for reconsideration, filed June 17, was withdrawn at the request of the FCC's staff, but was resubmitted after Northern's counsel recalculated the due date for such petitions.

No. of Copies rec'd 0+4  
List ABCDE

a “back-fill” channel—was contradicted in the simultaneously released decision in *Honor, Bear Lake, Ludington, Walhalla, and Custer, Michigan*, (DA 02-1155, released May 17, 2002). The purpose of Northern’s Petition for Reconsideration is to provide a second technical basis for a denial of the Bellaire allotment.

**The New Section 73.315(b) Evidence Presented by Fort Bend Must Be Rejected**

Fort Bend has provided, for the first time, an engineering response to Northern’s Section 73.315(b) showings, first presented in its September 8, 2000 Reply Comments. This engineering includes three (3) pages of narrative, and five (5) pages of graphs, charts and maps, including, for the first time, a Tech Note 101 study. It is too late for Fort Bend to present this new evidence. Section 1.429(b) of the rules states that a petition for reconsideration that relies on facts not previously presented may be granted *only* if (i) the facts or circumstances have changed; (ii) the facts were unknown to the petitioner until after the last opportunity to present them, or could have not been known to the petitioner through the exercise of due diligence; or (iii) consideration of the facts is required in the public interest.

No facts or circumstances have changed and the existence of the significant terrain obstruction discovered and shown by Northern could have been ascertained had Fort Bend been diligent. The reference coordinates and the topography along the 40-plus kilometer path towards Bellaire have not changed since the Bellaire counterproposal was filed on June 16, 2000. Accepting Fort Bend’s late parry of new evidence is not justified on public interest grounds either. As shown below, the public interest in efficient use of the spectrum continues to be ignored by Fort Bend. Even if its Tech Note 101 study and other new technical evidence were considered, the Petition still fails to demonstrate compliance with Section 73.315(b), because there still is a major terrain obstacle (Dingle Hill), unacknowledged by Fort Bend, that blocks

line-of-sight to all of Bellaire. Moreover, Fort Bend makes no effort to demonstrate why acceptance of its late filed technical showings would serve the public interest, as Section 1.429(b)(iii) requires when, as here, there is no excuse for being late. In *a case relied upon by Fort Bend* in its Petition, the FCC rejected a similarly unsupported effort to have the Commission consider terrain studies advanced for the first time at the reconsideration stage:

...the [petitioners] attempt to introduce an entirely new and detailed propagation analysis that had never before been addressed in these proceedings. In this sense, the [petitioners'] reply relies upon facts never before considered by the Commission. Section 1.429(b) prohibits grant of a petition for reconsideration when it relies upon such facts unless they relate to changed circumstances or could not have been uncovered with due diligence. Not only does the [petitioners'] petition clearly fail these tests, but it does not make the alternative showing that there is any public interest justification for our consideration of their late-filed engineering submission.

*Vacaville and Middletown, California*, 6 FCC Rcd 143, 144-45 (Policy and Rules Div. 1991); *accord, Jefferson City, Cumberland Gap, Elizabethon, Tennessee, and Jonesville, Virginia*, 13 FCC Rcd 2303, 2304-05 (Policy and Rules Div. 1998) (Tech Note 101 showing intended to show compliance with Section 73.315(b) rejected because it was advanced for the first time in a petition for reconsideration). Fort Bend's "entirely new evidence" similarly presents "facts never before considered by the Commission," and that portion of the Petition which relies on such evidence must not be considered.

Stripped of its Tech Note 101 study and other new evidence, Fort Bend is left with the engineering it presented in its June 2000 counterproposal. However, as noted, the technical studies included in its counterproposal did not address compliance with Sections 73.315(a) or (b) of the rules. Without any evidence of city-grade coverage or line-of-sight service to Bellaire, and considering the significant burden it must bear under Section 1.429 of the rules to

demonstrate that reconsideration of the *R&O* would serve the public interest, both the Petition and the underlying proposal are defective and must be rejected.

**Fort Bend's New Evidence Does Not Resolve the Line-of-Sight Issue**

Even if the Commission were to consider its new technical showings, Fort Bend's Bellaire proposal remains fatally flawed under Section 73.315(b) of the rules.

In its Reply Comments, Northern showed that a tower structure of 518 meters (1700 feet) would be required to provide line-of-sight service to Bellaire due to the distance (40 kilometers) from the restricted site and the major terrain obstruction, some 289 meters in height, that exists at a point 32.7 kilometers along the path towards Bellaire. *See* Northern's Reply Comments (Technical Statement, p. 2). Northern also submitted a statement by John P. Allen, an airspace consultant, which shows that the reference site for Bellaire, which has not been amended by Fort Bend, is "located within the final approach course for the...standard instrument approach" for the Charlevoix, Michigan, airport. Reply Comments (Technical Statement, Ex. 2). As a result, a 1700-foot tower would exceed Part 77 FAA standards by 1380 feet, thereby prohibiting a tower height at the reference coordinates greater than 320 feet (97.5 meters) AGL. *Id.* p. 1. No portion of Bellaire would receive line-of-sight service from an FM antenna 40 kilometers away at that height. Reply Comments (Technical Statement, p. 3).

In its belated response to these showings, Fort Bend presents showings, based on Tech Note 101 and the FCC's standard F(50,50) contour prediction method, that purport to demonstrate that a signal strength of greater than 70 dBu would encompass Bellaire. There are several defects in this analysis. First, as noted in Northern's attached Technical Statement, Fort Bend's engineer presents no terrain studies of the critical 40-kilometer path. His predictions of city-grade coverage are more relevant to the Section 73.315(a) city coverage requirement than to

the Section 73.315(b) line-of-sight standard.<sup>2</sup> No mention is made of the major terrain obstacle (Dingle Hill) that rises up at the 32.7 kilometer point on the path towards Bellaire to block all line-of-sight service. It is simply ignored--except by Fort Bend's lawyer, as discussed below. The blocking effect of Dingle Hill is again depicted in maps and charts in the attached Technical Statement. Based on his review of these materials, Northern's engineer states that there is no fully-spaced site from which line-of-sight service can be provided to any of Bellaire from a tower height that is realistically obtainable given airspace constraints. Technical Statement, p. 4, fn. 2.

Second, Fort Bend's engineer ignores the conclusions of Northern's airspace consultant that the FAA would not permit construction of a tower of greater than 320 feet at the Bellaire reference coordinates. See Petition, Ex. E-2, p. 2 (erroneous references made to a 1500-foot tower requirement instead of 1700 feet; no reference made to 320-foot or other FAA restrictions pointed out by Mr. Allen; and resulting use of assumed 919.3-foot structure for purposes of calculating Tech Note 101 and F(50,50) contour distance predictions). These erroneous assumptions show that Fort Bend is attempting to overcome Northern's arguments by misstating some and ignoring others. Indeed, Fort Bend now has had two opportunities to address the terrain obstruction issue, but continues to duck the issues Northern is presenting. Likewise, the air-hazard showing presented by Northern in its Reply Comments and repeated in the attached technical showing stands unanswered. Having failed to demonstrate that line-of-sight service can be provided to Bellaire, or that the tower height used in its studies is realistic, Fort Bend has not met its burden to show that the Section 73.315(b) line-of-sight requirement can be satisfied.

---

<sup>2</sup> Fort Bend's Exhibit E, Figure 1, may show a signal *beyond* Bellaire, but it does nothing to demonstrate that terrain-shielded Bellaire will receive any service.

Under these circumstances, Fort Bend's Petition should be rejected. *Jefferson City, Cumberland Gap, Elizabethton, Tennessee, and Jonesville, Virginia, supra 13 FCC Rcd at 2306* (existence of a major obstruction precluding Section 73.315(b) line-of-sight compliance fatal to FM allocation proposal where proponent's compensating tower height was "unrealistic").

Fort Bend's lawyers attempt to provide the missing engineering showing. Without the benefit of an expert report, they opine that there is "nothing that could be described as an 'obstruction,' much less a 'major obstruction'" along the long path between the site and Bellaire. Petition, p. 6. Rather, the lawyers continue, the terrain "...is characterized by a number of dips corresponding to lakes or waterways." *Id.* If this were true, Fort Bend's engineer would have so stated. He did not, because, Dingle Hill rises to 787 feet AMSL directly in the path to Bellaire and constitutes a major obstruction. Technical Statement, p. 4. Northern's engineer notes also, "The closer to the end of the path the obstruction lies, the steeper the slope of the line-of-sight into the community." Moreover, due to this "slope," there is no fully-spaced site from which line-of-sight service could be provided to Bellaire with a tower height AGL of less than 1700 feet. Technical Statement, p. 4. Based on the expert technical evidence provided by Northern below and again in the attached Technical Statement, Fort Bend's lawyers' speculations about "dips corresponding to lakes or waterways" should be rejected out of hand.

None of the cases cited by Fort Bend help its cause. In *Jackson and Salyersville, Kentucky*, 17 FCC Rcd 4662 (Allocations Br. 2002), it was shown, as Fort Bend has not shown here, that at least a portion of the community (Jackson) would receive line-of-sight service. *Id.* at para. 4. Moreover, unlike the situation here, there was no evidence in *Jackson* that the Longley-Rice and the standard prediction studies which were used to predict coverage were made from an unrealistic antenna height. The other cases relied upon by Fort Bend, *Madison, Indiana*, 14 FCC

Rcd 9518 (Allocations Br., 1999), and *Vacaville, California*, 4 FCC Rcd 8315 (Allocations Br., 1989); *recon. denied*, 6 FCC Rcd 143 (1991), provide little help. *Madison* involved a situation where there was partial line of sight and no major terrain obstruction, 14 FCC Rcd at 9519, and in *Vacaville* the FCC found that F(50, 50) and Tech Note 101 studies used there did not address the existence of a major obstruction, 6 FCC Rcd at 145. Moreover, the advisory language of Section 73.315(b), pointed to by Fort Bend in citing these cases, becomes mandatory in situations where, as is the case with Bellaire, there is a major rather than a “minor” terrain obstruction, and that obstruction cannot be overcome from a tower height of a realistic height. *Jefferson City, Cumberland Gap, Elizabethton, Tennessee, and Jonesville, Virginia, supra*, 13 FCC Rcd at 2306.

#### **Summary and Conclusion**

Fort Bend’s Petition is based on new evidence that could have been presented at the prior stages of this proceeding, but was not. Even if its new evidence were considered, Fort Bend fails to show that the *R&O*’s allotments to Cheboygan and Onaway, Michigan, should be reversed in favor of approval of Fort Bend’s flawed Bellaire proposal. Fort Bend has not even addressed the issue of the major obstruction pointed out by Northern in the initial stage of this proceeding, and again in its Petition for Reconsideration. Instead, Fort Bend relies on (1) Tech Note 101 and the standard prediction F(50,50) models, which do not address the issue, and (2) its lawyers’ interpretation of Northern’s terrain studies. Making matters worse, the prediction methods used by Fort Bend’s engineer are based on the erroneous conclusion that the FAA would let Fort Bend construct a 919-foot tower at its reference coordinates, which Northern shows cannot happen due to the proximity of the Charlevoix, Michigan airport. In short, Fort Bend has chosen a

community too far away, and too obstructed, to be used from the small open area that is available for use as a Channel 261C1 transmitter site.

**WHEREFORE**, These matters considered, it is respectfully requested that the Petition be DENIED and that the *R&O* be AFFIRMED.

Respectfully submitted,

**NORTHERN RADIO OF MICHIGAN, INC.**



---

Harry C. Martin  
Lee G. Petro  
Its Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.  
1300 North 17th Street, 11<sup>th</sup> Floor  
Arlington, Virginia 22209  
(703) 812-0400

August 6, 2002



**STATEMENT OF WILLIAM J. GETZ  
IN SUPPORT OF AN OPPOSITION TO A  
PETITION FOR RECONSIDERATION  
IN MM DOCKET NO. 00-69  
RM-9850, RM-9945, RM-9946**

Prepared for: Northern Radio of Michigan, Inc.

I am a Radio Engineer, an employee in the firm of Carl T. Jones Corporation with offices located in Springfield, VA. My education and experience are a matter of record with the Federal Communications Commission.

This office has been authorized by Northern Radio of Michigan, Inc., to prepare this statement and the associated exhibits in Opposition to a July 3, 2002, Petition for Reconsideration filed by Fort Bend Broadcasting Company ("Fort Bend") in MM Docket No. 00-69. Specifically, this material responds to Fort Bend's arguments relating to line-of-sight coverage to the community of Bellaire, Michigan, from Fort Bend's proposed Channel 260C1 allotment reference coordinates.

In its September, 2000, Opposition to the proposed allotment at Bellaire, Michigan ("September, 2000, Opposition"), Northern Radio clearly demonstrated that in order to provide line-of-sight coverage to Bellaire from the proposed Channel 260C1 allotment reference site, a 1,700 foot above ground level (518 meters) tower would be required. Neither Fort Bend (in its most recent Petition for Reconsideration) nor any other party involved in this proceeding

STATEMENT OF WILLIAM J. GETZ  
PAGE 2

to date disputed this finding or filed a study contrary to this claim.<sup>1</sup> Further, in its September, 2000, Opposition, Northern Radio submitted an aeronautical study which concluded that a 1,700 foot above ground level tower height would exceed Federal Aviation Administration obstruction standards by as much as 1,380 feet (420.6 meters) (i.e. to comply with all FAA obstruction standards of Subpart C of Part 77 of the FAA Regulations the tower height could not exceed 320 feet (97.5 meters) above ground level.) Again, Neither Fort Bend (in its most recent Petition for Reconsideration) nor any other party involved in this proceeding to date disputed this finding or filed a study contrary to this claim.

Instead, Fort Bend's technical arguments defending the suitability of the Bellaire allotment reference site appear to rely on the three assertions: (1) "line-of-sight coverage over the entire community is not mandatory", (2) "there are no hills [in the terrain path], and nothing that could be described as an "obstruction", much less a "major" obstruction", and (3) "the predicted field strength to Bellaire is in excess of 70 dBu".<sup>2</sup> Each of these items are discussed below.

---

<sup>1</sup> In paragraph 11 of its Petition for Reconsideration, Fort Bend's attorneys reference the engineering study contained in its own Technical Narrative which purportedly "demonstrates that line-of-sight coverage can be provided with a center of radiation of 299 meters above average terrain". Contrary to the attorney's statement, the Fort Bend Technical Narrative is silent regarding all matters relating to the salient line-of-sight issue. The only occurrence of the words "line-of-sight" in the Fort Bend Technical Narrative are in the opening introductory sentence.

<sup>2</sup> See Fort Bend Petition for Reconsideration, paragraphs 9 and 10.

Line-of-Sight Coverage Requirement

In paragraph 9 of its Petition for Reconsideration, Fort Bend contends that the FCC “rules recommend that there be a clear line-of-sight over the entire community, but this is not mandatory”. It is true that clear line-of-sight coverage to the entire community is not mandatory from a specific height above ground level at the allotment reference site. However, it is also true that clear line-of-sight coverage to at least part of the community is mandatory from a realistic tower height at the allotment reference site. If the Commission determines that a tower of unrealistic height is required from the proposed allotment reference site in order to provide line-of-site to the community of license, then the proposed allotment is technically defective.

From the Bellaire allotment reference site, a tower height of 1,700 feet above ground level would be necessary to achieve line-of-sight coverage to Bellaire. As demonstrated in the aeronautical study submitted with Northern Radio’s September, 2000, Opposition, this tower height is unrealistic and precludes the Fort Bend proposal from compliance with Section 73.315(b) of the FCC Rules.

Terrain Characteristics Between the Allotment Reference Site and Bellaire

Exhibit 1 is the computer-generated terrain profile (using a 3-second terrain database) from the Channel 260C1 allotment reference site toward Bellaire which was originally submitted in Northern Radio’s September, 2000, Opposition. As Exhibit 1 clearly illustrates, because of the close proximity of a major terrain obstruction to Bellaire, the entire community

is terrain-shielded from the Fort Bend allotment reference site which is located over 25 miles away on a bearing of 9 degrees true from center-city Bellaire.

In paragraph 10 of its Petition for Reconsideration, Fort Bend represented the terrain between the allotment reference site and Bellaire by stating, "There are no hills, and nothing that can be described as an "obstruction", much less a "major obstruction". The terrain feature on the direct radial bearing between the proposed allotment reference site and Bellaire, nearest Bellaire, is indeed a "hill". On U.S.G.S. maps it is a named terrain feature, labeled "Dingle Hill", and Dingle Hill has an elevation of 787 feet above mean sea level. Further, Dingle Hill is indeed a "major obstruction", because in order to see *over* Dingle Hill from the Fort Bend allotment reference site and into Bellaire, a tower height of 1,700 feet above ground level would be necessary.

Simple geometry demands that the proximity of the terrain feature to the community (or end point of the radial) is the critical factor in determining whether or not a terrain feature constitutes a major obstruction. The closer to the end of the path the terrain obstruction lies, the steeper the slope of the line-of-sight out of the community toward the allotment reference site, and the higher the tower height requirement to achieve a clear line-of-sight into the community.<sup>3</sup> Obviously, Dingle Hill is a major obstruction to Bellaire from the Fort Bend allotment reference site.

---

<sup>3</sup> The steep slope of the line-of-sight out of Bellaire toward Fort Bend's proposed allotment reference site, over the top of Dingle Hill, is clearly shown on Exhibit 1. It should be noted that Dingle Hill obstructs Bellaire from the entire Channel 260C1 permissible site area (i.e. there is no alternate, fully-spaced, allotment reference site on Channel 260C1 which could provide clear line-of-sight coverage to Bellaire from a tower of realistic height).

Exhibit 2 is a 1:250,000 scale U.S.G.S. map which shows the terrain characteristics of the entire path between the Fort Bend allotment reference site and Bellaire. The major terrain obstructions in the vicinity of Bellaire are labeled on Exhibit 2. Similarly, Exhibit 3 is a 7.5 minute topographic map (reduced for scanning) of the portion of the radial in the immediate vicinity of Bellaire. The same terrain obstructions labeled on Exhibit 2 are labeled on Exhibit 3.

Contrary to Fort Bend's assertion, the hills and mountains represented by the numerous terrain elevation contours on both Exhibits do not represent "terrain at a nearly constant elevation".<sup>4</sup> Rather, the terrain elevation contours represent widely varying terrain. Also contrary to Fort Bend's representation of the terrain, the terrain dips along the path do not only correspond to "lakes and waterways". The community of Bellaire is in one of those dips mentioned by Fort Bend as are state forest land and other land areas. Fort Bend may categorize the area between the allotment reference site and Bellaire as being free from terrain obstructions, having no hills and being at a constant terrain elevation, but the facts of the matter are: there exists a major terrain obstruction just outside of Bellaire known as Dingle Hill which effectively shields the entire community of license from the proposed allotment reference site; there area a number of hills and widely varying terrain along the path between the two sites; and, there are two downhill ski areas in the vicinity of the path between the Fort Bend allotment reference site and the community of Bellaire.

---

<sup>4</sup> See Ford Bend Petition for Reconsideration, paragraph 10.

Predicted Field Strength in Bellaire

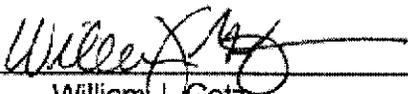
As indicated above, Fort Bend's technical showing on reconsideration does not address the fact that the proposed Channel 260C1 allotment at Bellaire cannot comply with Section 73.315(b) of the FCC Rules because a tower of unrealistic height is required to achieve line-of-sight coverage to any part of Bellaire. Fort Bend's city-grade coverage predictions using the FCC F(50,50) propagation curves, or the alternate "ITM" field strength prediction method to show compliance with Section 73.315(a) of the FCC Rules, simply are not relevant to the line-of-sight deficiency caused by Dingle Hill.

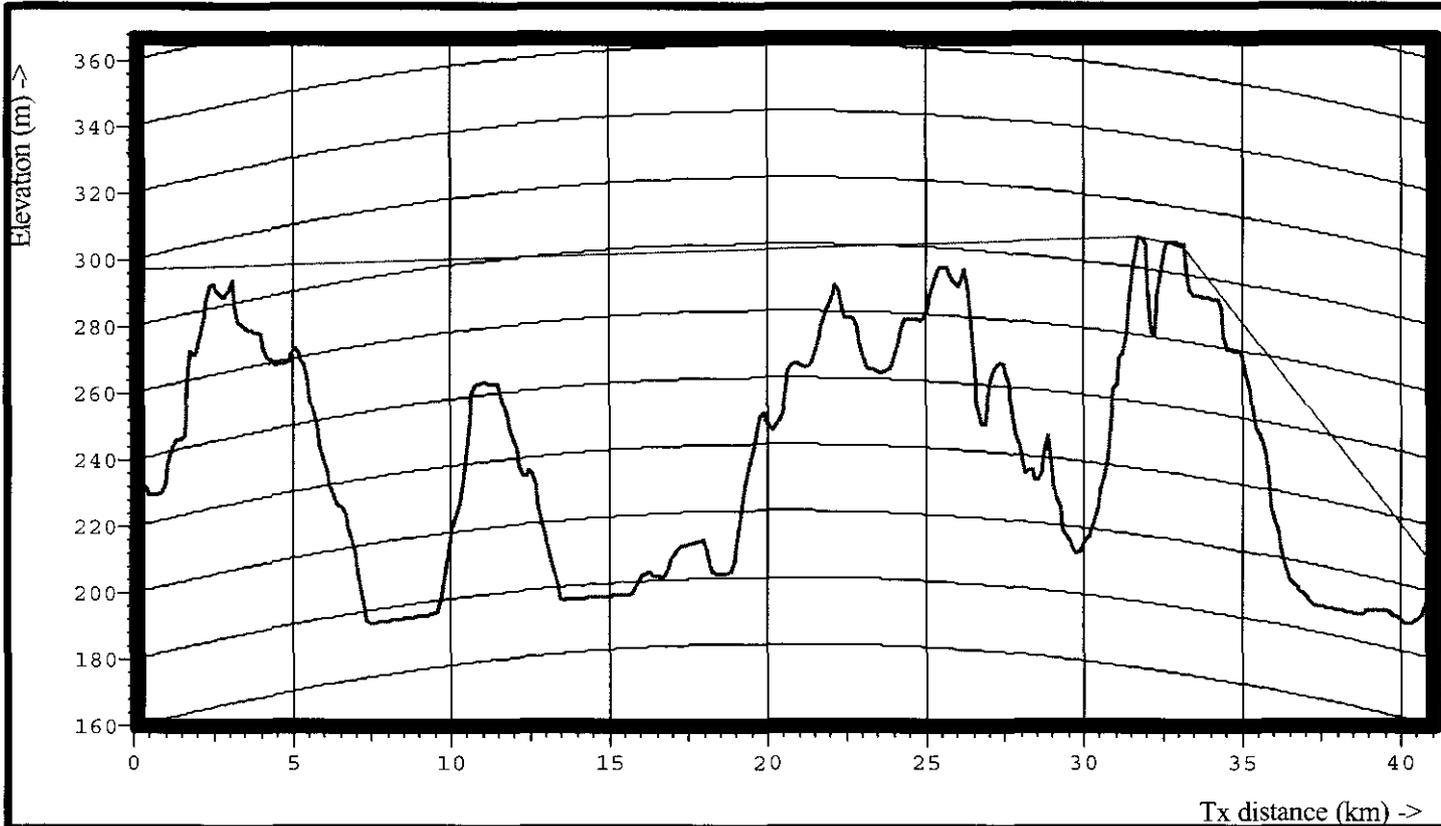
In its Petition for Reconsideration, Fort Bend submitted a Bellaire city-grade coverage study considering a 919 foot (280 meters) above ground level tower at the proposed allocation reference site. As stated earlier, a tower of 1,700 feet above ground level is necessary to satisfy Section 73.315(b) of the FCC Rules and any tower greater than 320 feet (97.5 meters) above ground level exceeds FAA obstruction standards. Exhibit 4, attached, is a city-grade contour coverage map from the proposed Channel 260C1 allotment reference site assuming a realistic tower height of 320 feet above ground level. As the map shows, the F(50,50) city-grade coverage contour covers no portion of the Bellaire city-limits.

STATEMENT OF WILLIAM J. GETZ  
PAGE 7

This statement and the attached engineering exhibits have been prepared by me or under my direct supervision and are believed to be true and correct.

DATED: August 1, 2002

  
\_\_\_\_\_  
William J. Getz



**SIGNAL™**

Prop. model: FCC-FCC  
 Time: 90.00 % Loc.: 50.00 %  
 Margin: 0.00 dB  
 Climate: Continental Temperate  
 Groundcover: None  
 Atm. factor: none  
 K factors: 1.333, 0.500, 2.000

Reliability Analysis  
 Fade outage method:  
   Vigants-Barnett  
 C param. for Vigants-Barnett:  
   average prop. conditions: C=1  
 Adj. chan. interf.: -200.0 dBmW  
 External interf.: -200.0 dBmW  
 Dispersive fade margin: 80.0 dB  
 Div. type: unprotected 80.0 dB  
 Ant. spacing for diversity: 10.0 dB  
 Rain outage method: Crane  
 Rain region: A

Transmitter Site: REF260C1  
 Name: Bellaire REF  
 Location:  
   N45°20'48.00" W85°07'46.00"  
 Site elevation: 237.3 m  
 Antenna height: 60.0 m  
 Pointing azimuth: 189.0 deg  
 Transmitter power: 30.00 dBm  
 Trans. line loss: 0.00 dB  
 Other losses: 0.00 dB  
 Antenna gain: 0.00 dB  
 Antenna file:  
 Total ERP: 30.00 dBm

Name: REF260C1 -> CITY  
 Frequency: 99.9000 MHz  
 Polarization: vertical  
 Length: 41.23 km  
 Number of obstacles: 3  
 Excess path loss: 53.5 dB  
 Atm. absorption loss: 0.0 dB  
 Path loss for stats: 158.21 dB  
 Flat fade margin: -158.21 dB  
 Total fade margin: -158.21 dB  
 Annual fade outage: 31536000.00 s  
 Annual rain outage: 0.00 s  
 Link availability: 0.0000 %

Receiver Site: CITY  
 Name: Bellaire City  
 Location:  
   N44°58'49.00" W85°12'40.00"  
 Site elevation: 198.0 m  
 Antenna height: 9.1 m  
 Pointing azimuth: 9.0 deg  
 Receiver threshold: 30.00 dBm  
 Trans. line loss: 0.00 dB  
 Other losses: 0.00 dB  
 Antenna gain: 0.00 dB  
 Antenna file:  
 Received signal level: -128.21 dBm

Notes

**Terrain Profile**  
 CH. 260C1 Ref Site to Bellaire

Exhibit 1 August, 2002

Ch. 260C1  
ALLOTMENT REFERENCE SITE  
45°20'48" / 85°07'46"

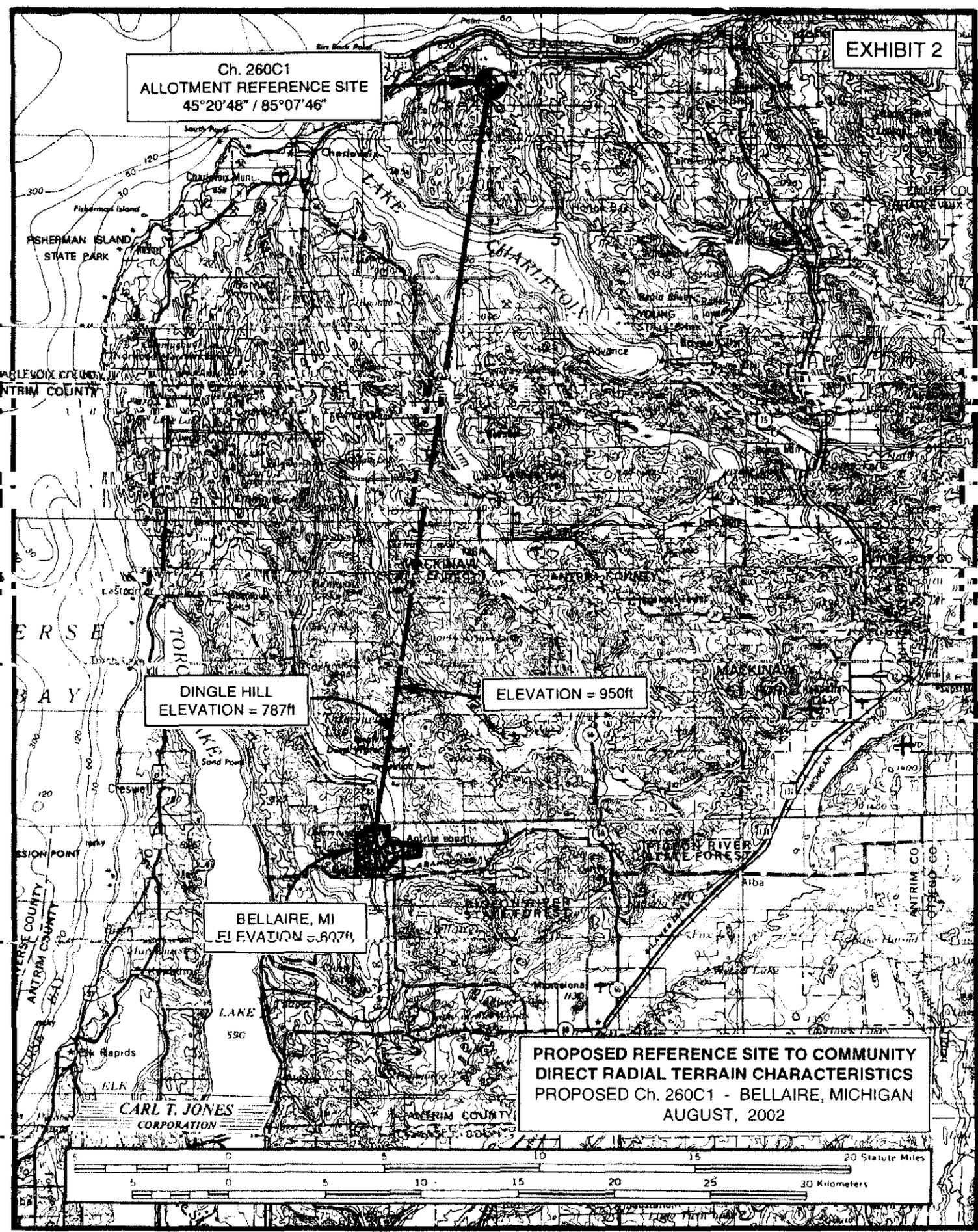
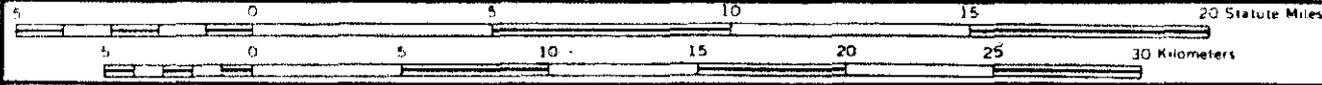
DINGLE HILL  
ELEVATION = 787ft

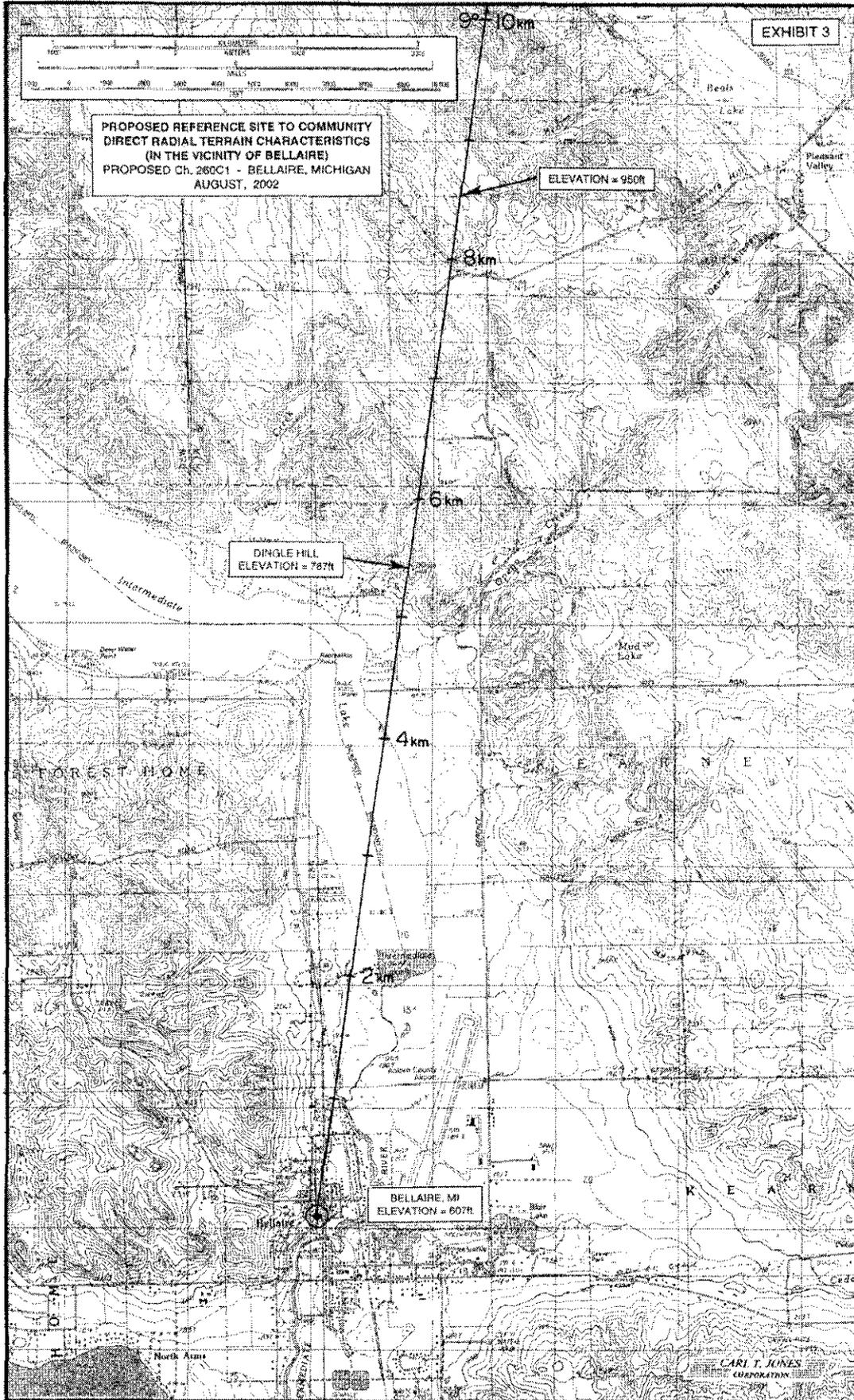
ELEVATION = 950ft

BELLAIRE, MI  
ELEVATION = 607ft

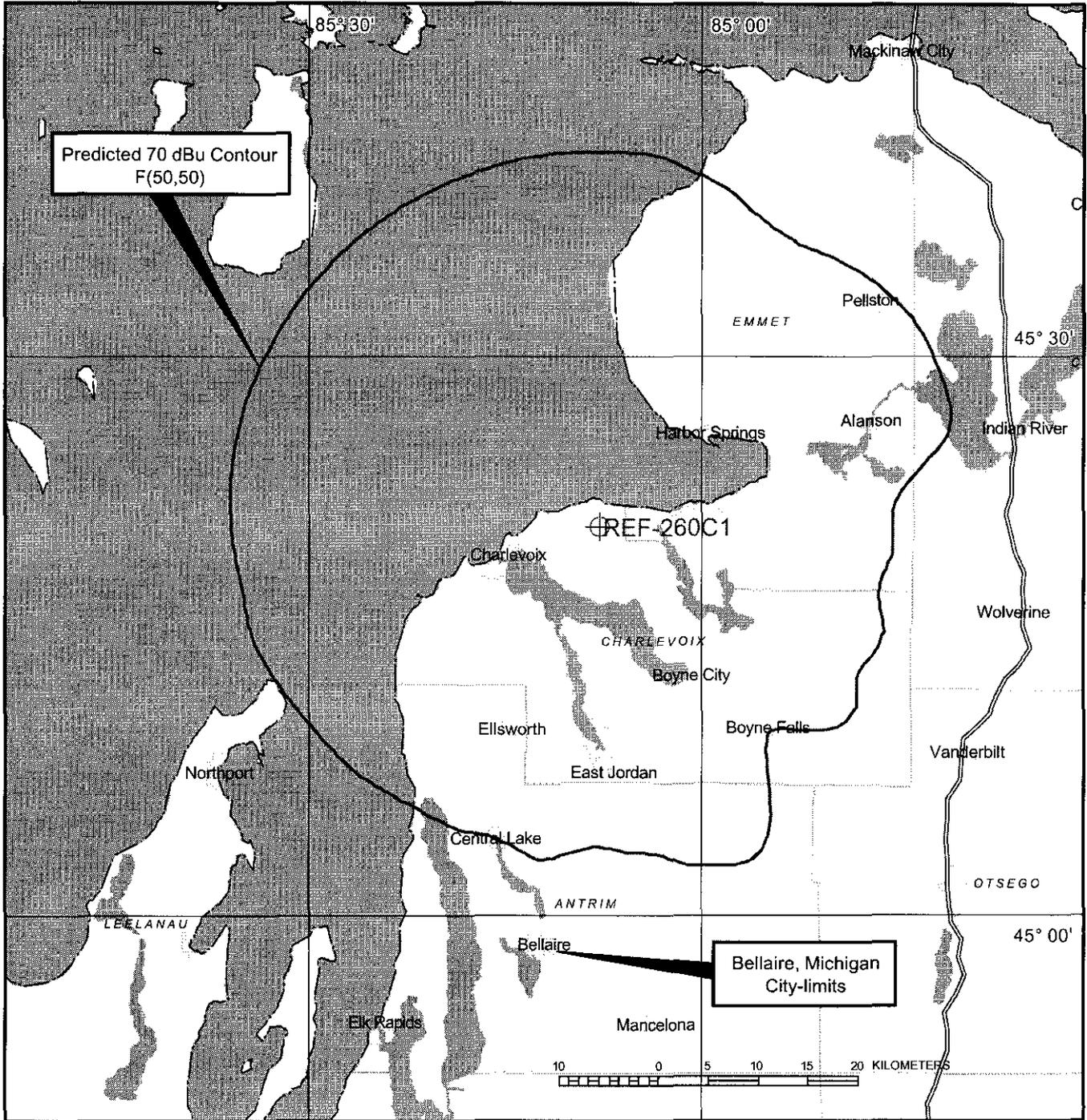
PROPOSED REFERENCE SITE TO COMMUNITY  
DIRECT RADIAL TERRAIN CHARACTERISTICS  
PROPOSED Ch. 260C1 - BELLAIRE, MICHIGAN  
AUGUST, 2002

CARL T. JONES  
CORPORATION





Assumed facility:  
 Channel: 260C1, Bellaire, Michigan  
 Reference site: 45-20-48 N.L., 85-07-46 W.L.  
 Tower Height: 320 feet agl  
 Ground Elevation: 768 feet  
 Radiation Centerline Above Ground: 281 feet  
 Radiation Centerline Above Mean Sea Level: 1,049 feet



**PREDICTED CITY-GRADE COVERAGE CONTOUR  
 FROM CHANNEL 260C1 ALLOCATION REFERENCE SITE  
 ASSUMING TOWER HEIGHT OF 320 FEET ABOVE GROUND  
 CH. 260C1, 100 kW ERP, 117 m HAAT  
 AUGUST, 2002**

**CERTIFICATE OF SERVICE**

I, Joan P. George, a Secretary with the law firm of Fletcher, Heald & Hildreth PLC, do hereby certify that on this 6<sup>th</sup> day of August, 2002, true copies of the foregoing *Opposition to Petition for Reconsideration* were hand-delivered or mailed first-class, postage pre-paid, to the following:

\* John A. Karousos, Assistant Chief  
Audio Division  
Office of Broadcast License Policy  
Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

\* Ms. Kathleen Scheuerle  
Audio Division  
Office of Broadcast License Policy  
Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Scott R. Flick, Esquire  
Brendan Holland, Esquire  
Shaw Pittman  
2300 N Street, N.W.  
Washington, D.C. 20037  
Counsel to Lake Michigan Broadcasting, Inc.

Denise B. Moline, Esquire  
PMB #215  
1212 South Naper Boulevard, Suite 119  
Naperville, Illinois 60540  
Counsel to Escanaba License Corp.

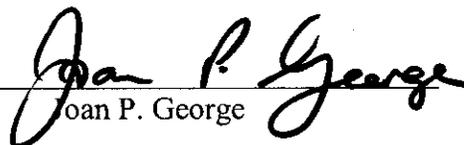
Jerrold D. Miller, Esquire  
Miller & Miller, P.C.  
1990 M Street, N.W., Suite 760  
Washington, D.C. 20036  
Counsel for D&B Broadcasting, L.L.C.

Mark N. Lipp, Esquire  
Shook, Hardy & Bacon  
600 14<sup>th</sup> Street, N.W.  
Washington, D.C. 20005  
Counsel for Fort Bend Broadcasting Company

Matthew M. McCormick, Esquire  
Reddy, Begley & McCormick  
2175 K Street, N.W., Suite 350  
Washington, D.C. 20037  
Counsel for  
Northern Radio Network Corporation

Cary S. Teeper, Esquire  
Booth, Freret, Imlay & Tepper, P.C.  
5101 Wisconsin Avenue, N.W., Suite 307  
Washington, D.C. 20016  
Counsel for Todd Stuart Noordyk  
Counsel for MacDonald Garber Broadcasting

By: \_\_\_\_\_

  
Joan P. George

\* Via Hand