



Federal Communications Commission  
Washington, D.C. 20554

August 14, 2002

Mr. Maurice Salsa  
5615 Evergreen Valley Drive  
Kingwood, Texas 77345

RECEIVED & INSPECTED  
AUG 15 2002  
FCC - MAILROOM

Dear Mr. Salsa:

This is in response to your petition for rule making filed on November 16, 2001, requesting the allotment of Channel 261C3 at Happy, Texas, as the community's first local aural transmission service.

Your proposal is unacceptable for consideration at this time. Our engineering analysis indicates that the specified coordinates (34-43-59 and 101-42-58) are short-spaced to the prior-filed proposal to allot Channel 261C at Dalhart, Texas.

Therefore, for the reason specified above, we are returning your petition. You may refile your petition, provided your proposal meets all of the minimum distance spacing requirements of Section 73.207 of the Commission's Rules.

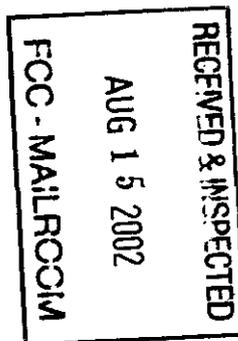
Sincerely,

A handwritten signature in black ink that reads "John A. Karousos".

John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau

Enclosures

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



In the Matter of )  
 )  
Amendment of 73.202 (b) ) MM Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(Happy, TX) )

To: John Karousos, Chief  
Allocations Branch  
Mass Media Bureau

PETITION FOR RULE MAKING

Maurice Salsa (Petitioner), pursuant to 47 C.F.R. 1.401, hereby requests the commission to amend section 73.202 (b) of its rules, the FM Table of Allotments, to allot channel 261C3 (100.1 Mhz) at Happy, Texas.

DISCUSSION

Happy, Texas is an incorporated community of 629 people as of January 1, 1998 according to the Texas State Data Center. Petitioner respectfully submits that the public interest would be served by allocating Channel 261C3 to Happy, Texas, as that community's first aural broadcast transmission service. Happy has its own mayor, Sara Tirey, its own post office, its own fire department, its own school district, its own city hall and a number of local churches. The proposed channel 261C3 will provide additional diversity and an outlet for local self-expression to Happy residents and therefore is in the public interest.

Attached hereto is a channel study confirming that Channel 261C3 can be allocated to Happy, Texas consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

Reference coordinates are:

34 43 59 N  
101 42 58 W

Petitioner hereby states that if the commission grants this petition, he will apply for the channel when it is allotted, and, if his application is granted, he will promptly build the station.

WHEREFORE, for the foregoing reasons, Petitioner respectfully requests the commission to grant this petition and to allot channel 261C3 to Happy, Texas.

The information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,

By:



Maurice Salsa  
5615 Evergreen Valley Drive  
Kingwood, TX 77345  
Tele: (281) 360-6932  
Fax: (713) 741-5145

October 22, 2001  
Happy

MAPFM search of channel 261C3 (100.1 MHz), at N. 34 43 59, W. 101 42 58.

Searching Channel 261C3 (100.1 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
KBZD	AMARILLO	TX	259	C3	U	43.3	43.0	347.2°	0.3
KBZD	AMARILLO	TX	259	C3	L	43.3	43.0	347.2°	0.3
KTQM-F	CLOVIS	NM	260	C1	U	143.8	144.0	253.4°	-0.2
KTQM-F	CLOVIS	NM	260	C1	L	143.8	144.0	253.4°	-0.2
ALC	DICKENS	TX	260	C3	A	129.6	99.0	143.5°	30.6
ALC	DICKENS	TX	260	C3	A	129.6	99.0	143.5°	30.6
KMMX	TAHOKA	TX	262	C1	U	149.7	144.0	180.0°	5.7
KMMX	TAHOKA	TX	262	C1	L	144.0	144.0	185.9°	-0.0
KOMX	PAMPA	TX	262	C2	U	116.7	117.0	36.6°	-0.3
KOMX	PAMPA	TX	262	C2	L	116.7	117.0	36.6°	-0.3
KNNK	DIMMITT	TX	263	C2	U	71.6	56.0	273.0°	15.6
KNNK	DIMMITT	TX	263	C2	L	71.2	56.0	271.2°	15.2
KNNK	DIMMITT	TX	263	C2	C	71.2	56.0	271.2°	15.2
NEW	PLAINVIEW	TX	264	A	A	59.7	42.0	178.6°	17.7

# Happy, TX CH. 261C3 3.16mv

