

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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In the Matter of )  
)  
Amendment of Section 73.202(b) )  
Table of Allotments ) MB Docket No. 02-14  
FM Broadcast Stations ) RM - 10358  
(Ketchum, Idaho) )

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Audio Division  
Media Bureau

SUPPLEMENT

Millcreek Broadcasting, L.L.C. ("Millcreek"), licensee of Station KUUU(FM), Tooele, Utah, by its counsel, hereby files this supplement in the above-captioned proceeding. The purpose of the supplement is to alert the Commission to a recent development in another proceeding that has a bearing on this proceeding.

1. Millcreek's counterproposal in this proceeding conflicted with a petition for rule making filed by Sierra Grande to allot Channel 276C to Salina, Utah, which had not yet been placed on notice. Millcreek proposed the substitution of Channel 300C for 276C at Salina to remove the conflict. The Commission released a Notice of Proposed Rule Making containing the Salina proposal on July 5, 2002 (DA 02-1553), assigning it MB Docket No. 02-166. Millcreek filed timely comments and reply comments in that proceeding pointing out the connection between that proceeding and this one.

2. The deadline for comments in the Salina, Utah proceeding has passed, and the petitioner has not expressed an interest in an allotment at Salina, nor has any other party.<sup>1</sup> A

<sup>1</sup> On July 18, 2002, Sierra Grande filed comments in *this* proceeding discussing the Salina allotment. In those comments, Sierra Grande apparently withdrew its expression of interest in Channel 276C at Salina. The July 18 comments also discuss a possible Channel 277C0 allotment at Salina instead. Channel 277C0 does not conflict with Millcreek's counterproposal. Since those comments were not filed in MB Docket No. 02-14, the Commission need not take official notice of them.

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continuing expression of interest is a requirement for an allotment. *See Nassawadox, Virginia*, 13 FCC Rcd 2985 (1988); Paragraph 2 of the Appendix to *Notice of Proposed Rule Making*. In timely reply comments in MM Docket 02-166, Millcreek has requested the dismissal of the petition. With that dismissal, Sierra Grande no longer has any grounds for objection to Millcreek's counterproposal in this proceeding, and the Commission need not consider Millcreek's suggestion of an alternative Channel 300C at Salina.

3. Wherefore, for the foregoing reasons, the Commission should deny the opposition filed by Sierra Grande and grant Millcreek's counterproposal.

Respectfully submitted,

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September 10, 2002

**CERTIFICATE OF SERVICE**

I, Lisa M. Balzer, a secretary in the law firm of Shook, Hardy & Bacon, do hereby certify that I have on this 10<sup>th</sup> day of September, 2002 caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Supplement" to the following:

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(Petitioner)

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Tri-Market Radio Broadcasters, Inc.  
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Jerome, ID 83338  
(Licensee of KKMV, Rupert, ID)

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