

Shainis & Peltzman, Chartered

Counselors at Law

Suite 240

1850 M Street, N.W.

Washington, D.C. 20036

(202) 293-0011

Fax (202) 293-0810

e-mail: shainispeltzman@s-plaw.com

ORIGINAL

Aaron H. Shainis
aaron@s-plaw.com

Lee J. Peltzman
lee@s-plaw.com

Of Counsel

William H. DuRoss, III
bill@s-plaw.com

Robert J. Keller
bob@s-plaw.com

October 21, 2002

VIA HAND-DELIVERY

Marlene H. Dortch
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Federal Communications Commission
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: MM Docket No. 02-261
RM-10503
(Ozona and Iraan, Texas)
Counterproposal**

Dear Ms. Dortch:

Transmitted herewith, on behalf of Iraan Broadcasting, are an original and four (4) copies of its Counterproposal in the above-referenced proceeding. In the event the Commission has any questions with respect to the filing of this Counterproposal, please contact the undersigned.

Respectfully submitted,



Lee J. Peltzman
Counsel for IRAAN BROADCASTING

LJP/kdm

Enclosures

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of

Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations) MM Docket No. 02-261
(Ozona and Iraan Texas)) RM-10503
)

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COUNTERPROPOSAL.

Iraan Broadcasting ("IB"), by its counsel and pursuant to Section 1.420(d) of the Commission's Rules, hereby files a Counterproposal to the Notice of Proposed Rule Making, DA 02-2101, released August 30, 2002, ("NPRM"). The NPRM proposed to amend the FM Table of Allotments to allot Channel 289C1 to Ozona, Texas, as its second local service. This Counterproposal seeks instead to allot Channel 288C2 to the community of Iraan, Texas, as its first local service as shown in the following table:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Iraan, TX	-----	288C2

In support of its proposal, IB submits the following:

1. IB states that it will apply for Channel 288C2 at Iraan, Texas and will construct those facilities if the Commission approves this proposal. As demonstrated in the attached Engineering Statement, Channel 288C2 can be allotted to Iraan, Texas, at coordinates 30° 53'

35”NL and 101° 55’ 26“ WL in accordance with the Commission’s distance separation requirements and city grade coverage requirements. See Engineering Statement.

2. The city of Iraan, Texas is located in Pecos County and has a population, according to the 2000 U.S. Bureau of Census, of 1,238 persons. Iraan’s name has nothing to do with the country of Iran. Oil was discovered on the ranch of Ira Yates and a contest was held to name the town that was being formed. Ira’s wife was named *Ann* and the contest winner combined the two names.

3. The city of Iraan has its own library and post office. It provides police and fire protection and has its own city ambulance. Iraan maintains its own school system, consisting of elementary, junior high and high schools. It has its own municipal airport and chamber of commerce. It is home to the Pecos County General Hospital and Iraan Medical Clinic. It has its own newspaper – the Iraan News. Iraan has a number of churches, including the Iraan Christian Church, Iraan Community Church, **Iraan** First Baptist Church and Iraan United Methodist Church. The community is also home to numerous businesses, many of whom associate themselves with the community by incorporating the name “Iraan” in their title: Iraan State Bank, Iraan Flower Shop, Iraan Fitness Center and Iraan Country Club. In view of all of the above, Iraan clearly qualifies as a “community” for Commission allotment purposes, as it has all of the indicia of community status. See Attachments. Yet, Iraan currently lacks any aural transmission service.

4. Pursuant to the Commission’s allotment priorities, Iraan is entitled to credit under priority 3 for providing a first local service.’ Ozona, on the other hand, already has one station,

‘The FM priorities are: (1) first full-time aural service; (2) second full-time aural service; (3) first local service; and (4) other public interest matters, See *Revisions of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

KYXX(FM), and, therefore, fits under priority **4**. Consequently, **Iraan** is the preferred community under the Commission's allotment standards.

Accordingly, **Iraan Broadcasting** respectfully requests that the Commission allot Channel 288C2 to **Iraan, Texas**, as that community's first local service,

Respectfully submitted,
IRAAN BROADCASTING

By: 

Lee J. Peltzman

Shainis & Peltzman, Chartered
1850 M Street, N.W., Suite 240
Washington, DC 20036
(202) 293-0011

Its Counsel

October 21.2002

ENGINEERING STATEMENT

IN SUPPORT OF A

COUNTERPROPOSAL

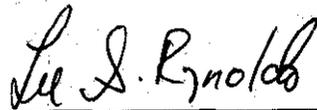
MM DOCKET 02-261

In MMDocket 02-261, the Petitioner requested the allocation of channel 289C1 at Ozona, Texas. In the instant counterproposal, Iraan Broadcasting seeks to allot channel 288C2 at Iraan as that community's first local service.

Exhibit 1 shows that the coordinates chosen by Iraan Broadcasting are mutually exclusive with the proposed allotment of channel 289C1 at Ozona, Texas. Ozona currently has a class A station (KYXX), a vacant non-commercial allotment, a vacant commercial allotment, and two other proposed FM allotments. Iraan, TX has no local service.

Exhibit 1 is an allocation study that shows a set of fully spaced coordinates with the exception of the class C1 allotment at Ozona. Exhibit 2 is a map of the class C city-grade coverage over Iraan.

For Iraan Broadcasting:



Lee S. Reynolds
Reynolds Technical Associates
12585 Old Highway 280 East, Suite 102
Chelsea, AL 35043
205.618.2020

Allocation Study Channel 288C2 Iraan, TX

REFERENCE		DISPLAY DATES
30 53 35 N	CLASS = C2	DATA 10-09-02
101 55 26 W	Current Spacings	SEARCH 10-18-02
----- Channel 288 - 105.5 MHz -----		

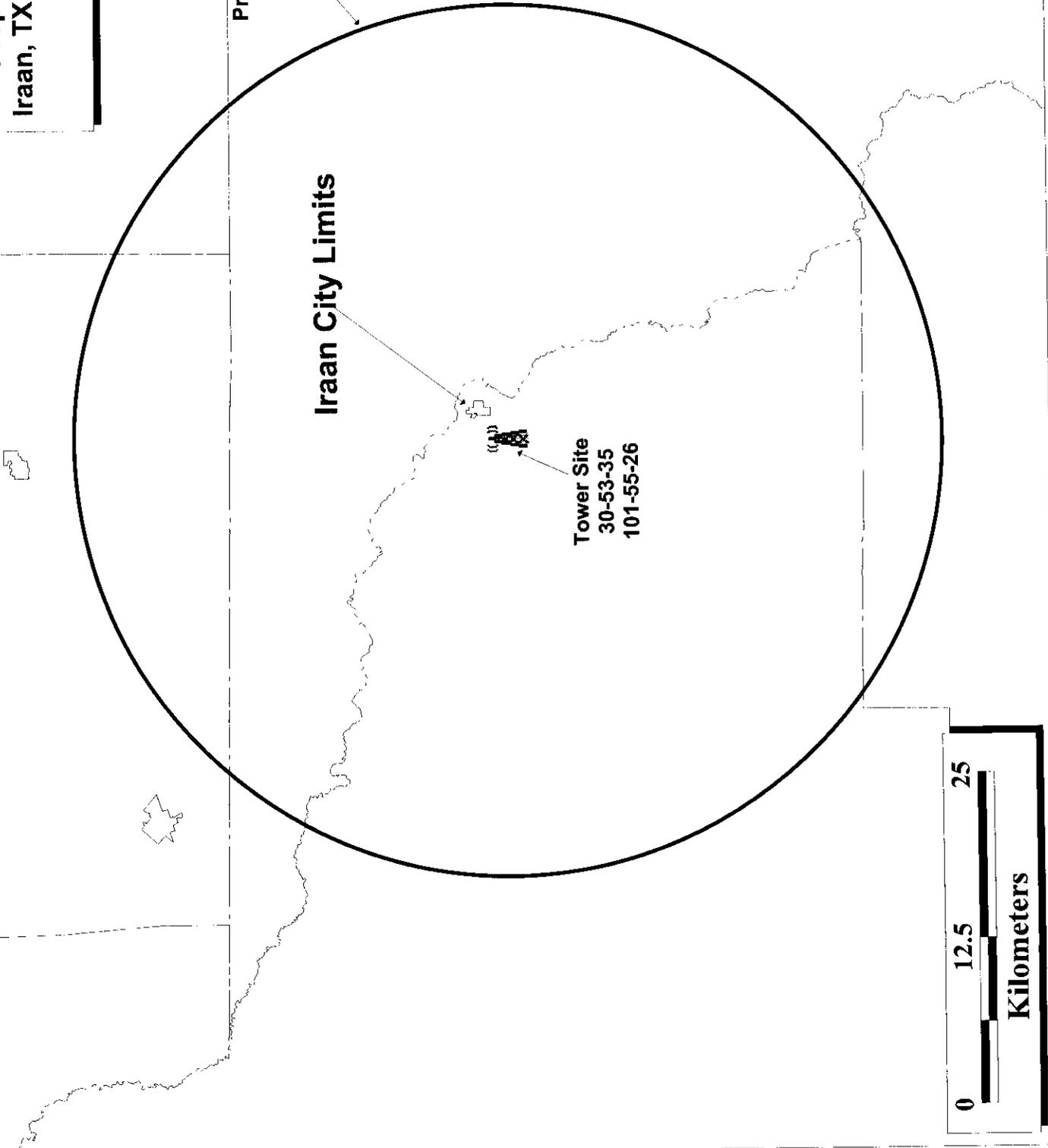
Call	Channel	Location	Dist	Azi	FCC	Margin	
RADD	ADD 289C1	Ozona	TX	67.65	139.1	158.0	-90.35
ALLO	VAC 288A	Coahoma	TX	166.00	20.5	166.0	0.00
ALLO	VAC 285C1	Ozona	TX	79.06	104.6	79.0	0.06
KACTFM	LIC 288A	Andrews	TX	172.05	339.8	166.0	6.05
ALLO	VAC 289C3	Kermit	TX	154.83	309.0	117.0	37.83
KERBFM	APP 289C3	Kermit	TX	155.59	312.6	117.0	38.59
ALLO	288	Piedras Negras	CI	278.35	150.5	237.0	41.35
XHREFM	OPE 2888	Piedras Negras	CI	278.35	150.5	237.0	41.35
KKJW	LIC 290C2	Stanton	TX	106.98	6.0	58.0	48.98
RADD	ADD 286C2	Sanderson	TX	112.44	214.3	58.0	54.44
ALLO	VAC 285A	Eldorado	TX	126.64	91.3	55.0	71.64
RADD	ADD 287C3	Menard	TX	193.53	90.1	117.0	76.53
ALLO	USE 291C2	San Angelo	TX	134.59	69.9	58.0	76.59
ALLO	VAC 288C3	Santa Anna	TX	259.74	71.0	177.0	82.74
KMDX	LIC 291C2	San Angelo	TX	142.50	64.6	58.0	84.50
ALLO	288	Benavides	CH	275.95	224.5	163.0	112.95
ALLO	VAC 234A	Goldsmith	TX	134.72	326.9	15.0	119.72
ALLO	289	Jose Martinez	CH	284.46	250.0	164.0	120.46
KIXYFM	LIC 234C1	San Angelo	TX	155.23	64.4	27.0	128.23
RADD	ADD 291A	Rocksprings	TX	185.04	124.1	55.0	130.04
ALLO	VAC 287C2	Levelland	TX	260.75	357.4	130.0	130.75
ALLO	286	Ciudad Acuna	CI	198.68	151.0	65.0	133.68
960826	CP 289C2	Mason	TX	270.59	97.9	130.0	140.59
ALLO	USE 289C2	Mason	TX	270.59	97.9	130.0	140.59
RDEL	DEL 289C2	Mason	TX	270.59	97.9	130.0	140.59

**Proposed Allotment at
Iraan, TX 70 dBu Contour Map
10/21/02**

Proposed 70 dBu Contour

Iraan City Limits

Tower Site
30-53-35
101-55-26





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TEXAS TOWN

IRAAN, TEXAS

Pecos County, West Texas

Population: 1,300

County Highways 190 and 349
16 miles from Sheffield (I-10)
50 miles East of Fort Stockton

The Chamber of Commerce: 915-639-2232

The name has nothing to do with the country of Iran. Oil was discovered on the ranch of Ira Yates and a contest was held to name the town that would soon materialize. Ira's wife was named Ann. The person who combined the two names won a town lot as a prize.



The Better-than-nothing Car Wash
TE photo

Iraan today has two newspapers. But as an Iranian told us (in a confidential tone) "It's the same news." We bought both papers. It was the same news. Different photos though.

next page >>

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East Texas

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TEXAS TOWN

IRAAN, TEXAS
 Pecos County, West Texas
Page 2

Alley Oop

<< Iraan, Texas, page 1

Because of its semi-remote location, the school district provides its teachers with housing.



west Texas wildlife in Iraan's Park
TE photo

Iraan is also the birthplace of Alley Oop, at onetime an extremely popular syndicated comic strip. Creator V.T. Hamlin was a newspaperman in Iraan when he came up with the idea for a caveman who looked like he was wearing bellbottoms when he wasn't even wearing pants. While virtually unknown now, Alley Oop was nearly as popular as Dick Tracy and Tarzan.

Mr. Oop had a dinosaur named Dinny and there is a likeness of both Alley Oop and Dinny at the 7 acre **Fantasyland** just west of town amid Mulberry trees.

Also in the park is the **Iraan Archeological Museum**

October 2000
 ©John Troesser

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 << **Back to West Texas Towns**
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Location: [Iraan Texas](#) | Category: [Archaeological Sites](#)



Iraan Archaeological Museum

Located in Fantasyland Park, museum features excellent fossil exhibits, plus Indian artifacts, ranching antiques, and oil field replicas. Open Apr-Sept, Wed-Sun 2-6pm.

Find similar pages at [Archaeological Sites](#).

U.S. 90
Iraan TX

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Texas Real Estate	Room
Things Look Different Here	Availability
Free Campgrounds	Montana Style Soft & Chewy Granola

Location: [Iraan Texas](#) | Category: [Flying](#)



Iraan Municipal Airport

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Iraan Municipal Airport serves Iraan and Pecos County and is owned by Pecos Co.. The airport has more than one runway. The longest is a paved runway extending 4085 feet. The facility is at an elevation of 2200 feet at a distance of about one mile from Iraan.

Find similar pages at [Flying](#).

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Texas Real Estate	Room Rates Availability Online
Oregon Things Look Different Here	Montana Style

Location: [Iraan Texas](#) | Category: [Special Places for Children](#)



Fantasyland

Alley Oop, comic book character, was created by

V.T. Hamlin while he lived in Iraan. Visitors can see Alley Oop and Dinny in gigantic figures in the 7.2 acre park.

Find similar pages at [Special Places for Children](#).

US. 190
Iraan TX

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Free Campgrounds of the West	



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(915) 639-2722

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(915) 639-2867

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[Iraan School Superintendent](#)
(915) 639-2512

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(915) 639-2251

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Business Name

Address

[Eddins-Walcher Co](#)
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[Amigos Car Care](#)
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[Church Of Christ](#)
(915) 639-2034

604 Harte St
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[First Baptist Church](#)
(915) 639-2344

421 S Harte St
Iraan, TX [Map](#)

[Iraan Christian Church](#)
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PO Box 488
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[Iraan Church Of Christ](#)
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620 Harte St
Iraan, TX [Map](#)

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300 W 9th St
Iraan, TX [Map](#)

[Iraan Community Church](#)
(915) 639-2734

304 S Drake St
Iraan, TX [Map](#)

[Iraan First Baptist Church](#)
(915) 639-2344

421 S Hart
Iraan, TX [Map](#)

[Iraan United Methodist Church](#)
(915) 639-2333

401 S Harte St
Iraan, TX [Map](#)

[Iraanchristian Church](#)
(915) 639-6031

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Business Name

Address

[Pecos County General Hospital](#)
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Iraan, TX [Map](#)

[Pecos County General Hospital](#)
(915) 639-2575

305 W 5th St
Iraan, TX [Map](#)

[Rodriguez, Linda - Iraan Clinic](#)
(915) 639-2589

303 W 5th St
Iraan, TX [Map](#)

[Rodriguez, Linda - Iraan Medical Clinic](#)
(915) 639-2580

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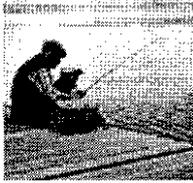
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Address

Box, [Richard - Shaffer-Nichols Funeral Home](#)
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411 S Drake St
Iraan, TX [Map](#)

[Nichols, Kelly - Shaffer-Nichols Chapel](#)
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Business Name

Address

[Becky's Beauty Shop](#)
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402 S Drake St
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[Juanita's Hair Design](#)
(915) 639-2213

104 W 5th St
Iraan, TX [Map](#)

[K-K's Salon](#)
(915) 639-6058

308 S Hill St
Iraan, TX [Map](#)

[Lacy's Hair & Nail Salon](#)
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Business Name

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Business Name

Address

[Old House Cafe](#)
(915) 639-2075

303 W 6th St
Iraan, TX [Map](#)

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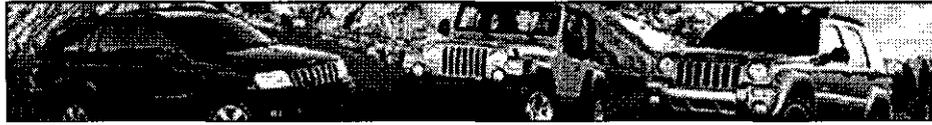
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(915) 639-2584

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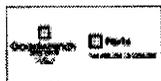
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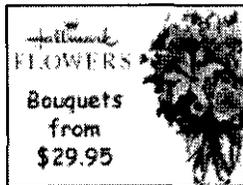
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Business Name

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Business Name

Address

[Iraan](#) Museum
(915) 639-2522

1000 Park Side St
Iraan, TX [Map](#)

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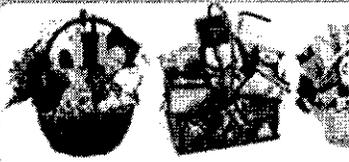


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Business Name

Address



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Business Name

Address

Iraan Flower Shop
(915) 639-2712

301 1/2 S Drake St
Iraan, TX [Map](#)

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Business Name

Address

Iraan News

110 E 5th St
Iraan, TX [Map](#)

(915) 639-2492

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Washington Mutual

800.788-7000

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Business Name

Address

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All Businesses

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Business Name

Address

Iraan State Bank
 (915) 639-2543

109 W 5th St
Iraan, TX [Map](#)

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All Businesses

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Business Name

Address

Moore, Barney - Moore Insurance
(915) 639-2743

205 W 5th St
Iraan, TX [Map](#)

Moore, Madelyn - Iraan Insurance
(915) 639-2431

204 W 5th St
Iraan, TX [Map](#)

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All Businesses

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Business Name

Jerry Phillips Investments
(915) 224-0434

Address

109 W 5th St
Iraan, TX [Map](#)

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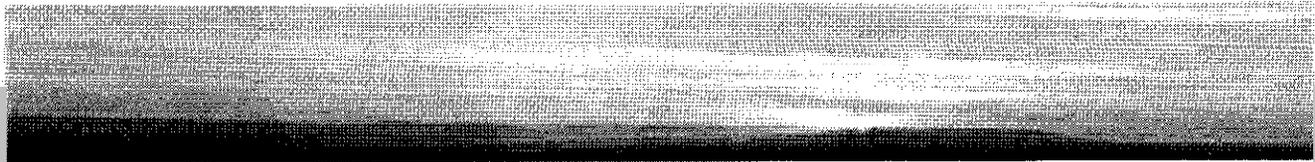
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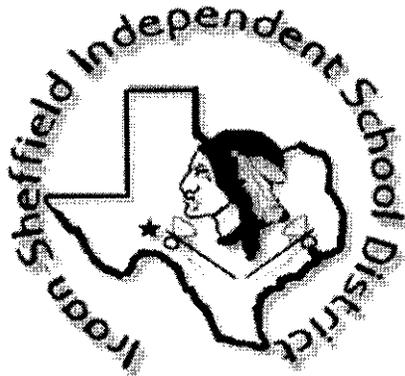


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Area Information Links



Iraan/Sheffield Independent
School District
PO Box 486
100 S. Farr
Iraan, Tx. 79744
(915)639-2512

<TABLE cellSpacing=5 cellPadding=5 width=' 100% bgColor=#3a3b78 summary="" border=0>
The Iraan/Sheffield Independent School District's
Official Website is
<http://isisd.escl 8.net/>

Bobby D. M ^c Call	Superintendent
P. Jeff Bright	Business Manager
Bobby Peschel	High School Principal
Don Malone	Junior High Principal
Mindy Phillips	Elementary Principal
Kristi Powers	Counselor
Randy Doege	Athletic Director
Kirke M ^c Kenzie	Band Director
Deb M ^c Mullan	Librarian
Brenda Brooks	Nurse

Board OF Trustees

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Mr. Jeffery M ^c Mahon	Vice President

Mr. Basiliso Ramirez	Secretary
Mr. David Brown	Member
Mr. Allen Green	Member
Randy Ramsey	Member
Mr. Robert Sigmon	Member

Public School Budget	\$5,748,000
Bonded Indebtedness	\$2,400,000
Tax Rate:	\$1.37/0.13

Teachers : 56

Staff : 28

Number of
Elementary Schools : 1

Elementary Status : Exemplary

Number of
Junior High Schools : 1

Junior High Status : Recognized

Number of
High Schools : 2(one Public; one TYC alternative
education campus)

High School Status: Recognized

Average SAT Score: 1018

Average ACT Score: 21.2

TAAS Exit Scores

Reading:82%

Writing:89%

Math: 81%

Enrollment in Public School : 446

Enrollment at TYC Education Campus: 64

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Area Information Links

Local Businesses

Allsup's Convenience Store	120 E. 6 th St.	(915)639-2531
Barrera Contractors	104 S. Underwood	(915)639-2516
B & B Welders	West HWY. 349	(915)639-2712
B & K Trucking	102 E. 4 th St.	(915)425-6015
C & T Auto & Feed	201 W. 6 th St.	(915)639-2189
Century 21-Armstrong & Ass.	400 S. Drake	(915)639-2772
Chamber of Commerce	502 W. 6 th St.	(915)639-2232
Champion Technologies	409 S. Drake	(915)639-2103
Circle III	400 E. 2 nd St.	(915)639-2237
Duckwalls Store #781	404 S. Drake	(915)639-2883
Eddikas	301 W. 6 th St.	(915)639-2290
Eddins Walcher	105 E. 3 rd St.	(915)639-2516
Fitness Center	701 N. Kniveton	(915)639-2200
Garrisons Contractors	202 W. 6 th St.	(915)639-2686
Godfathers	100 E. 6 th St.	(915)639-2093
Gordos	204 E. 6 th St.	(915) 639-2658
Helmerich & Payne Co.	W. HWY 349	(915)639-2526
Industrial Telephone Service	700 N. Drake	(915)639-2821
Inman Realty	201 W. 11 th St.	(915)639-2779
Iraan Flower Shop	301 1/2 S. Drake	(915)639-2712
Iraan News	110 E. 5 th St.	(915)639-2492
Iraan State Bank	109 W. 5 th St.	(915)639-2543
JB Lease Service	1003 N. Blanton	(915)639-2132
Jerry Phillips Investments	109 W. 5 th St.	(915)639-2426
J's Service Center	305 W. 6 th St.	(915)639-2294

Juanita's Hair Designs	103 W. 5 th St.	(915)639-2213
KK's Salon	308 S. Hill	(915)639-6058
B.F. Kennedy Trucking Co.	102 E. 4 th St.	(915)425-6015
Key Energy	220 S. Drake	(915)639-2534
Kimbrough Oil	W. HWY 349	(915)639-2725
Lacy's Hair & Nails	501 S. Farr	(915)639-2991
Leo & Sons	500 S. Drake	(915)639-2729
Marathon Oil Co.	W. HWY 190	(915)639-2553
Marathon Pipeline	W. HWY 190	(915)639-3258
Mesquites BBQ	101 S. 6 th St.	(915)639-6020
Miller & Son Contracting	800 N. Blanton	(915)639-2295
OK Package Store	200 W. 6 th St.	(915)639-8894
Old House Cafe	303 W. 6 th St.	(915)639-2075
Ortiz Burritos	105 E. 6 th St.	(915)639-2658
Parker Ranch Bed & Breakfast	E. HWY 190	(915)639-2850
Rivers Trucks	203 S. Drake	(915)639-2687
Rye Supply	211 S. Drake	(915)639-2800
Schaff er-Nichols Chapel	301 S. Drake	(915)639-2467
Show Time Video	303-A S. Drake	(915)639-2306
Speedy's Car Wash	309 E. 6 th St.	(915) 639-2288
Steel Magnolias	402 S. Drake	(915)639-6001
Town & Country Convenience Store	100 E. 6 th St.	(915)639-2584
Trail West Lodge	404 E. 6 th St.	(915) 639-2548
Uncles Convenience Store	206 W. 6 th St.	(915)639-2971
Village Market	115 E. 5 th St.	(915)639-2587
West Texas Country Care	5 th & Blanton	(915)639-2345
Whitco	211 S. Drake	(915)639-2086

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Perry dedicates wind farm in Iraan

By Brian Rogers
Odessa American

IRAAN — Texas Gov. Rick Perry heralded the age of wind energy while speaking at the dedication of one of the world's largest wind power projects Friday.

"West Texas is helping to give the rest of Texas clean air," Perry said.

"This is clean burning energy. It would take 86,000 barrels of oil to produce as much energy as this project."

In the backyard of one of the largest oilfields in history, Perry paid homage to Iraan's Yates field.

"I was glad to come through the Yates field," Perry said.

"But that's the past. We want to keep our oil and gas industries invigorated and prosperous, but wind energy is the future."

With 107 triple-blade windmills towering 213 feet tall in the background, Perry spoke briefly to about 400 people at the Desert Sky Wind Farm.

The project is in Pecos County, about 45 miles east of Fort Stockton.

Perry declared the operation of windmills for electricity "a piece of Texas history."

The wind farm will provide energy for 55,000 households in San Antonio through City Public Service, the electric provider for San Antonio.

Desert Sky Wind Farm, formerly Clear Sky Wind Farm is owned by American Electric Power it was purchased from Enron Wind in December 2000 for \$175 million.

The project was developed, constructed and is operated by Enron Wind, which will soon become General Electric Wind, said Bob Gates, Enron Wind's senior vice president.

Although Fort Stockton's Alamo Elementary third-graders sang the national anthem, the highlight of the afternoon event was Fort Stockton's County Judge Delmon Hodges.

"We used to love these mesas out here," Hodges said.

"But we love 'em a whole lot more now that they're bringing in money."

Hodges was asked to introduce Perry,

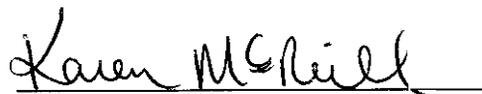
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Argyle, TX 76226

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1050 17th Street, N.W.
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Karen McNeill

*Via Hand Delivery