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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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 00-53
FM Broadcast Stations)	RM-9823
(Detroit Lakes and Barnesville, Minnesota,)	RM-9950
Enderlin, North Dakota))	

To Assistant Chief, Audio Division

JOINT COMMENTS

Triad Broadcasting Company, LLC (“Triad”) and Enderlin Broadcasting Company (“Enderlin Broadcasting”) hereby submit Joint Comments in response to the Audio Division’s September 20, 2002 Request for Supplemental Information (DA 02-223) regarding the above-referenced reallocation proceeding.¹ Specifically, the Audio Division has asked for supplemental information from Clear Channel Broadcasting Licenses, Inc. (“Clear Channel”) demonstrating the unavailability of the existing transmitter site of KRVI(FM) and the need to relocate the station’s transmitter site to a different tower. The Audio Division also invited Triad and Enderlin Broadcasting to file comments in support of their position that KRVI(FM) can provide first local service to Barnesville from the station’s current transmitter site.

As both Triad and Enderlin Broadcasting have shown previously, KRVI(FM), Channel 236C1, can be reallocated to Barnesville using the current KRVI(FM) transmitter site as the reference point, thus permitting reallocation of Channel 236C1 to Barnesville and allotment of

¹ Both Triad and Enderlin Broadcasting filed Petitions for Reconsideration of the then Mass Media Bureau’s decision in *Detroit Lakes and Barnesville, Minnesota, Enderlin, North Dakota*, 16 FCC Rcd 22581 (M.M.Bur. 2001).

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Channel 233C1 to Enderlin. Representatives of Triad have been informed that the tower currently used by KRVI is still available for such use,² and neither Triad nor Enderlin Broadcasting is aware of any circumstances – technical, structural, financial, legal or otherwise – that would require Clear Channel to relocate KRVI(FM) from its current site. In short, if Clear Channel’s true intent is to serve the residents of Barnesville and not the Fargo metropolitan area, there is no reason to move the station’s transmitter site because KRVI(FM) can serve Barnesville from its present location, while still allowing for a first local service for Enderlin. Given these circumstances, if the Audio Division concludes that reallocation of Channel 236C1 to Barnesville is warranted, it can and should specify the KRVI(FM) existing transmitter site as the reference point because doing so would better serve the public interest as it would allow the residents of both Barnesville and Enderlin to receive a first local service.

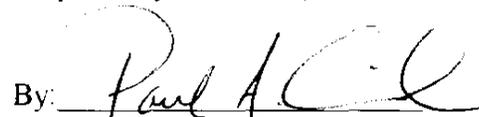


By: _____
Matthew H. McCormick
Reddy Begley & McCormick, LLP
2175 K Street, NW
NW Suite 350
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*Counsel for Enderlin
Broadcasting Company*

Dated: November 1, 2002

Respectfully submitted,



By: _____
David D. Oxenford
Paul A. Cicelski
Shaw Pittman LLP
2300 N Street, NW
Washington, DC 20037

*Counsel for Triad Broadcasting
Company, LLC*

² See Exhibit 1 for Declaration of Mark Borchert, Chief Engineer for Triad

EXHIBIT 1

DECLARATION

I, **Mark** Borchert, Chief Engineer for Triad Broadcasting Company, LLC stations **KLTA** FM, **KQWB** AM/FM, **KVOX** FM, **KPFX** FM, hereby **make** the following declaration under penalty of perjury:

1. In order to determine whether radio station **KRVI(FM)** would **be** required to move **from its** current transmitter **site** on the **KVRR(TV)** owned tower, I **spoke** with Kathy Lau, General **Manager** of **KVRR(TV)** by telephone on Wednesday, September 5, 2002.
2. According to Ms. Lau, she **was** unaware that **Clear Channel** had filed a **petition** for rulemaking with the FCC to relocate the **KRVI(FM)** transmitter site **from** its present location to Barnesville. Ms. Lau stated that **KVRR(TV)** would not require **KRVI(FM)** to move from **the KVRR(TV) tower**. She also expressed concern regarding **KRVI(FM)**'s potential relocation as **KVRR(TV)** would lose the **rental** income it currently **receives** from **KRVI(FM)** under a tower lease.
3. **On** Wednesday, October 23, 2002, I called Dave Johnson, **engineer** for **KVRR(TV)**, in order to determine whether **KVRR(TV)**'s **DTV** facilities **would** create any technical or **structural** problems requiring **KRVI(FM)** to **move from** the **KVRR(TV)** tower.
4. **Mr.** Johnson informed me that **KVRR(TV)**'s plans for digital **expansion** include **keeping KRVI(FM)** on the **KVRR(TV)** tower **and** that he did not contemplate **any** technical or structural difficulties that would **require KRVI(FM)** to vacate the **KVRR(TV)** tower.

Stated this 3 1st day of October, 2002



Mark Borchert

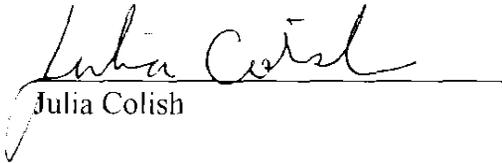
CERTIFICATE OF SERVICE

I, Julia Colish, a secretary with the law firm of Shaw Pittman LLP, hereby certify that copies of the foregoing **“JOINT COMMENTS”** were served via U.S. mail on this 1st day of November 2002 *to* the following:

“John A. Karousos
Assistant Chief, Audio Division
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Federal Communications Commission
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Julia Colish

*Via Hand Delivery