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

In the matter of)
Amendment of Section 73.202 (b)) MB Docket No. _____
Table of Allotments)
FM Broadcast Stations) RM- _____
(Orchard Mesa, Colorado))

PETITION FOR RULEMAKING

To the Chief, Allocations Branch:

Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated:

1. Petitioner proposes the Commission allot FM channel 249C3 to Orchard Mesa, CO as its first local service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Orchard Mesa, CO	-	249C3

2. Orchard Mesa is Census designated place located in Mesa County, Colorado. In 2000, the U.S. Census Bureau estimated that Orchard Mesa had a population of 6456 persons.

3. FM channel 249C3 can be assigned to Orchard Mesa in full compliance with the Commission's minimum distance separation requirements. This is illustrated the attached spacing study. Coordinates used are N 39:04:47, W 108:36:00 and are located approximately 6 Km NW of Orchard Mesa. This site restriction is necessary to prevent a short spacing with station KSPN-FM, Aspen, CO. Petitioner is confident that he can find a suitable transmitter site if channel 249C3 is allotted as proposed.

4. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate FM channel 249C3 is it is allotted to Orchard Mesa as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,



Dana J. Puopolo
2134 Oak St., Unit C
Santa Monica, CA 90405
May 23, 2003

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03-127

Orchard Mesa CO 249C3

FM Spacing study Channel 249C3, Orchard Mesa, CO

Reference Coordinates: N 39:04:47, W 108:36:00

CHAN	FREQ	CALL	LOCATION		DIST	REQ	CLEAR
246C1	97.1	KCYN	MOAB	UT US	87	76	11
247C1	97.3		DINOSAUR	CO US	134	76	58
248C	97.5	KLGL	RICHFIELD	UT US	275	176	99
248C	97.5	PRM	CREEDE	CO US	193	176	17
249C3	97.7	KSPN-FM	ASPEN	CO US	154	153	1
249C2	97.7	KZYR	AVON	CO US	196	177	19
249A	97.7	PRM	MANILA	UT US	232	142	90
250C	97.9	KISZ-FM	CORTEZ	CO US	195	176	19
251C	98.1	KAYW	MEEKER	CO US	110	96	14

Notes:

All distances are in kilometers.
Only stations which clear by less than 110 km are shown.

