

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-\_\_\_\_\_  
(Cedaredge, Colorado) )

**AMENDMENT TO PETITION FOR RULEMAKING**

To the Chief, Allocations Branch:

Dana J. Puopolo ("Petitioner") respectfully submits an amendment to his original petition for rulemaking in the above captioned proceeding. In support whereof the following is stated:

1. Petitioner initially proposed the Commission allot FM channel 248C2 to Cedaredge, CO as its first commercial FM service. Recently it has come to his attention that this proposal is mutually exclusive to another rulemaking he filed seeking the allotment of FM channel 249C3 to Orchard Mesa, CO. To eliminate the mutual exclusivity with these proposals, petitioner now respectfully respects that the Commission allot FM channel 258C3 in lieu of channel 248C2 to Cedaredge. This would require amending Section 73.202(b) of the Commission's rules as follows:

| <u>Community</u> | <u>Present</u> | <u>Proposed</u> |
|------------------|----------------|-----------------|
| Cedaredge, CO    | -              | 258C3           |

2. Cedaredge is an incorporated town located in Delta County, Colorado. In 2000, the U.S. Census Bureau estimated that Cedaredge had a population of 1854 persons. Cedaredge has all the qualities of a town including an elected Mayor, City Hall, Police Department, Fire Department, Public Library, Animal Control Department, water treatment plant, Ambulance, 13 churches, 9 restaurants, a grocery store and Post Office. The Delta County Independent newspaper is published in Cedaredge. Cedaredge serves as the regional business center of the area.

3. FM channel 258C3 can be assigned to Cedaredge in full compliance with the Commission's minimum distance separation requirements. This is illustrated the attached spacing study. Coordinates used are N 38:47:49, W 107:42:04 and are Located approximately 21 Km SE of Cedaredge This site restriction is necessary to prevent a short spacing with station KEKB, Fruita, CO.

4. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate FM channel 258C3 is it is allotted to Cedaredge 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 amendment 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  
July 3, 2003

074  
MB  
03-206

Cedaredge258C3

FM spacing study channel 258C3, Cedaredge, CO  
at coordinates: 38° 47' 49" Latitude, 107° 42' 04" Longitude

| CHAN  | FREQ  | CALL | LOCATION         |       | DIST | REQ | CLEAR |
|-------|-------|------|------------------|-------|------|-----|-------|
| 256C3 | 99.1  | KMTS | GLENWOOD SPRINGS | CO US | 87   | 43  | 44    |
| 257A  | 99.3  | PRM  | LAKE CITY        | CO US | 92   | 89  | 3     |
| 258C  | 99.5  | KQMT | DENVER           | CO US | 237  | 237 | 0     |
| 259C2 | 99.7  | KPTE | DURANGO          | CO US | 162  | 117 | 45    |
| 260C  | 99.9  | KEKB | FRUITA           | CO US | 96   | 96  | 0     |
| 261C2 | 100.1 | PRM  | CREEDE           | CO US | 131  | 56  | 75    |

Notes:

All distances are in Kilometers.  
Only stations clearing by less than 125 Km are shown.

