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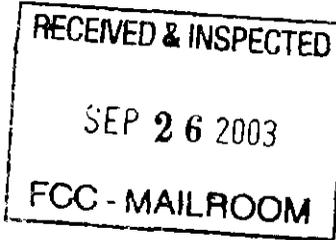
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September 25, 2003

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**VIA OVERNIGHT DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
9300 East Hampton Drive  
Capitol Heights, MD 20743

**Re: FCC RM-10651  
Reclassification of License of Station  
WDEF-FM, Chattanooga, Tennessee  
Request for Termination of Proceeding**

Dear Ms. Dortch:

On behalf of Jackson Telecasters, Inc., licensee of WDEF-FM, Chattanooga, Tennessee, this letter shall serve as notification to the Commission that the above-captioned proceeding seeking reclassification of WDEF-FM has been abandoned.

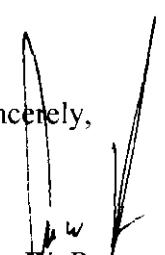
Pursuant to that proceeding, WDEF-FM would have been required to file an application for modification of its construction permit by September 29, 2003 to preserve its Class C status. However, on April 16, 2003, the Petitioner, SSR Communications Incorporated, filed a request to abandon RM-10651 (See attached).

Ms Marlene H Dortch  
September 25, 2003  
Page 2

Because Petitioner has abandoned the rule-making proceeding, the requirement for WDEF-FM to file for a construction permit application is now moot and WDEF-FM respectfully requests that the Commission terminate the proceeding and take no further action with respect to the reclassification of WDEF-FM.

If you should have any questions in connection with this matter, it is respectfully requested that you communicate with this office

Sincerely,



Coe W. Ramsey  
*Counsel to Jackson Telecasters, Inc*

Enclosure

cc Deborah A Dupont, FCC  
Cary S Tepper

**COURTESY COPY**

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**

Washington, D.C. 20554

RECEIVED & INSPECTED  
SEP 26 2003  
FCC - MAILROOM

In the Matter of: )  
)  
Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations, )  
(Tallapoosa, Georgia) )

RM - \_\_\_\_\_

To: Assistant Chief, Audio Division  
Media Bureau

**PETITION FOR RULE MAKING**

SSR Communications, Inc. ("SSR"), by Counsel, and pursuant to §1.401 of the Commission's Rules, hereby respectfully petitions the Commission to institute Rule Making proceedings for amendment of the FM Table of Allocations to add Channel 255A (98.9 MHz) to Tallapoosa, Georgia, as its first aural FM facility, as follows:

<u>City / State</u>	<u>Existing</u>	<u>Proposed</u>
Tallapoosa, Georgia	---	255A

In support hereof, the following is shown:

**Background**

1. As a prerequisite to this Petition for Rule Making, SSR hereby requests the abandonment of a previous rule making petition that it filed seeking the allotment of Channel 223A to Tallapoosa, Georgia. This prior request was assigned FCC Rule Making Number RM-10651, and it resulted in a "Order to Show Cause" being served

upon Radio Station WDEF-FM at Chattanooga, Tennessee. See, Exhibit No. 1 (copy of "Order to Show Cause" relating to RM-10651).<sup>1</sup>

2. Tallapoosa is located in Haralson County, Georgia. There are no radio stations presently licensed to Tallapoosa.

3. SSR believes that none of the area radio stations provide programming that is responsive to the unique interests and needs of Tallapoosa. As indicated below, if these efforts are successful, SSR will pursue an application to provide such FM radio service to Tallapoosa through the Commission's auction selection process or any other process that might be applicable in the future.

#### Technical Criteria

4. Attached hereto as Exhibit No. 2 is an Engineering Statement prepared by Graham Brock, Inc. wherein it is demonstrated that Channel 255A may be allotted to the community of Tallapoosa, Georgia in compliance with Section 73.207 of the Commission's Rules regarding current spacing requirements.<sup>2</sup> According to the Engineering Statement, Channel 255A may be allotted to Tallapoosa at site reference coordinates North Latitude 33 - 39 - 20 and West Longitude 85 - 15 - 27. From this location, the 3.16 mV/m city-grade contour will encompass the entire community of Tallapoosa.

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<sup>1</sup> A copy of this petition is being served upon Radio Station WDEF-FM.

<sup>2</sup> As the attached Engineering Statement explains, this proposal essentially protects Radio Station WSB-FM (Atlanta, Georgia) since that radio station has already agreed to a downgrade to Class CO in MM Docket No. 03-77; RM-10660.

### Allotment Eligibility

5. According to the Clerk's Office at the Tallapoosa City Hall/<sup>3</sup>, Tallapoosa has its own government comprised of a mayor, five councilmen, a city manager and a city clerk. The town of Tallapoosa has its own police and fire departments, and provides its own water, gas and sewer services. There are public schools in the town of Tallapoosa, but they are managed by the county. Finally, the town of Tallapoosa has defined boundaries.

6. Attached hereto is as Exhibit No. 3 is a four-page printout from America On Line Yellow Pages that shows thirty-six businesses, churches and public services that incorporate the town's name into its business name. The address and telephone number of each is also shown. For example, there is the Tallapoosa Drug Company, Tallapoosa Electronics, Inc., Animal Care Clinic of Tallapoosa, Tallapoosa United Methodist Church, Tallapoosa Marine, Tallapoosa City Library, Tallapoosa Primary School, Tallapoosa Flower Shop, Tallapoosa Church of God and the Tallapoosa Golf Course -- to name just a few.

7. Tallapoosa has its own U.S. Post Offices -- one located at 49 US Highway 78, and another located at 10 South Alewine Avenue -- with Zip Code "30176" being associated solely with the town of Tallapoosa.

8. SSR submits that when all of the above factors are considered -- especially Tallapoosa's own government and government services, and the use of the Tallapoosa name in many businesses and places of worship -- the Commission should conclude that Tallapoosa has a geographically identifiable population grouping that is worthy of the allotment of a broadcast channel to the community. *See, e.g., Hannibal, Ohio, 6 FCC Rcd. 2144, 69 RR 2d 113 (MMB 1991); FM Channel*

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<sup>3</sup> The telephone number of the Tallapoosa City Hall is (770) 574-2345.

*Assignments: Middletown, California, 69 RR 2d 1626 (MMB 1991); Oak Grove, FL, 5 FCC Rcd 3774 (1990).*

**Public Interest Showing**

9. Objective indicia of community status is present to support the allotment of Channel 255A to Tallapoosa, Georgia.

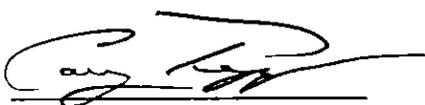
**Statement of Interest**

10. SSR hereby expresses its intention to apply for Channel 255A at Tallapoosa, Georgia, if that Channel is allotted by the Commission, and that further, if its Application is granted, to construct and operate that facility.

WHEREFORE, the above premises considered, SSR respectfully urges the Commission to terminate RM-10651, GRANT the instant Petition, and to AMEND the Table of FM Allotments to specify Channel 255A at Tallapoosa, Georgia.

Respectfully submitted,

**SSR COMMUNICATIONS, INC.**

By:   
Cary S. Tepper

Its Attorney

**Booth, Freret, Imlay & Tepper, P.C.**

7900 Wisconsin Avenue  
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(202) 686-9600

April 16, 2003