

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

RECEIVED

NOV 21 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Amendment of Section 73.202(b) )  
Table of Allotments )  
FM Broadcast Stations )  
(Farmersburg, Indiana) )  
)

MB Docket No. \_\_\_\_\_  
RM - \_\_\_\_\_

To: Office of Secretary  
Attn: Assistant Chief, Audio Division  
Media Bureau

**PETITION FOR RULE MAKING**

Word Power, Inc., by its counsel, hereby submits this Petition for Rule Making requesting the reservation of Channel \*242A at Farmersburg, Indiana for noncommercial educational use in response to the Public Notice of September 30, 2003 (DA 03-2990) and pursuant to the Second Report and Order in Re-examination of the Comparative Standards for Noncommercial Educational Applicants ("Second R&O"), MM Docket 95-31, 18 FCC Rcd 6691, 6703-06 (2003). In support of the reservation of Channel \*242A at Farmersburg, Indiana, Word Power, Inc. states as follows:

1. In the Second Report & Order, supra, the Commission revised the showing required for the reservation of commercial channels for noncommercial educational use. Previously, the Commission would only reserve a commercial channel if the petition demonstrated that no reserved frequencies were available due to the proximity of VHF TV Channel 6 or Canadian/Mexican use of the reserved band. The Second Report & Order expands this criteria and allows consideration of the reservation if there are no other reserved frequencies and the proposed use would provide a first or second noncommercial educational service to at least 2,000 persons and 10% of the population within the 60 dBu contour.

No. of Copies rec'd 074  
List ABOVE  
Im-mB  
03-427

2. The enclosed Engineering Statement indicates that there are no other reserved band frequencies available which would provide a 60 dBu contour to at least 50% of Farmersburg. In addition, the Engineering statement indicates that a first or second NCE service would be provided to 16.34% of the proposed 60 dBu contour. The population breakdown would be 1,513 persons receiving a first NCE service and 18,163 persons receiving a second NCE service for a total of 19,678 persons out of 120,406 in the service area. These totals exceed the 10% and 2,000 person tests. Accordingly, this request to reserve Channel \*242A for NCE use at Farmersburg, Indiana meets the standards adopted in the Second Report and Order.

3. Should Channel \*242A become reserved at Farmersburg, Word Power, Inc. will file an application which provides the first and second NCE service and will construct the facility as authorized.

Respectfully submitted,

WORD POWER, INC.

By:  <sup>D.M.K.</sup>

Mark N. Lipp  
Vinson & Elkins, LLP.  
The Willard Office Building  
1455 Pennsylvania Avenue, NW  
Washington, D.C. 20004-1008  
(202) 639-6500

Its Counsel

November 21, 2003

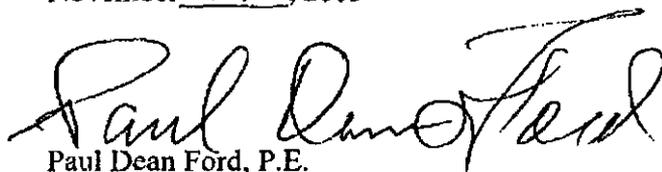
277322\_1.DOC

Paul Dean Ford, P.E. has conducted an FM Frequency Search of the Educational Channels (201 through 220) at the proposed operational site for FM Channel 242A at Farmersburg, IN and determined that there is no available channel in that range that is available for full Class A facilities for operation from the city coordinates of Farmersburg, IN or due North, East, South or West at a location 27 kilometers (28km distance to Class A 60dBu minus 1 km) from city center.

Also, a check was made to determine whether or not a minimum Class A operation (0.100kW ERP from 31 meters HAAT) could be assigned to Farmersburg center coordinates. Using terrain data from that site, the proposed predicted 60dBu contour goes out an average of 6.1km (ranging from 5.7 to 6.7km) which is 0.1km greater than the Class A minimum and the 40dBu goes out an average of 20.2km, ranging from 18.6km to 22.4km, depending upon varying terrain. The FM Frequency Search data demonstrated that it is not possible to assign a Class A channel to the NCE band at Farmersburg, IN center because of interference to and/or from existing or proposed facilities.

Paul Dean Ford has prepared this data personally and that all facts contained herein are true of his own knowledge, except where stated to be on information or belief, and as those facts, he believes them to be true.

November 21, 2003

  
Paul Dean Ford, P.E.

WORD POWER, INC. submits this Petition for Rulemaking to amend the FM Table of Allotments, Section 73.202(b), requesting that the Commission change the Farmersburg, Indiana allocation of 242A from commercial to non-commercial.

There is no equivalent reserved band channel available for allotment to Farmersburg, Indiana.

The attached map shows that the proposed Farmersburg, Indiana operation would provide service to an area of 2,537.66 square kilometers and a population (2000 Census) of 120,406.

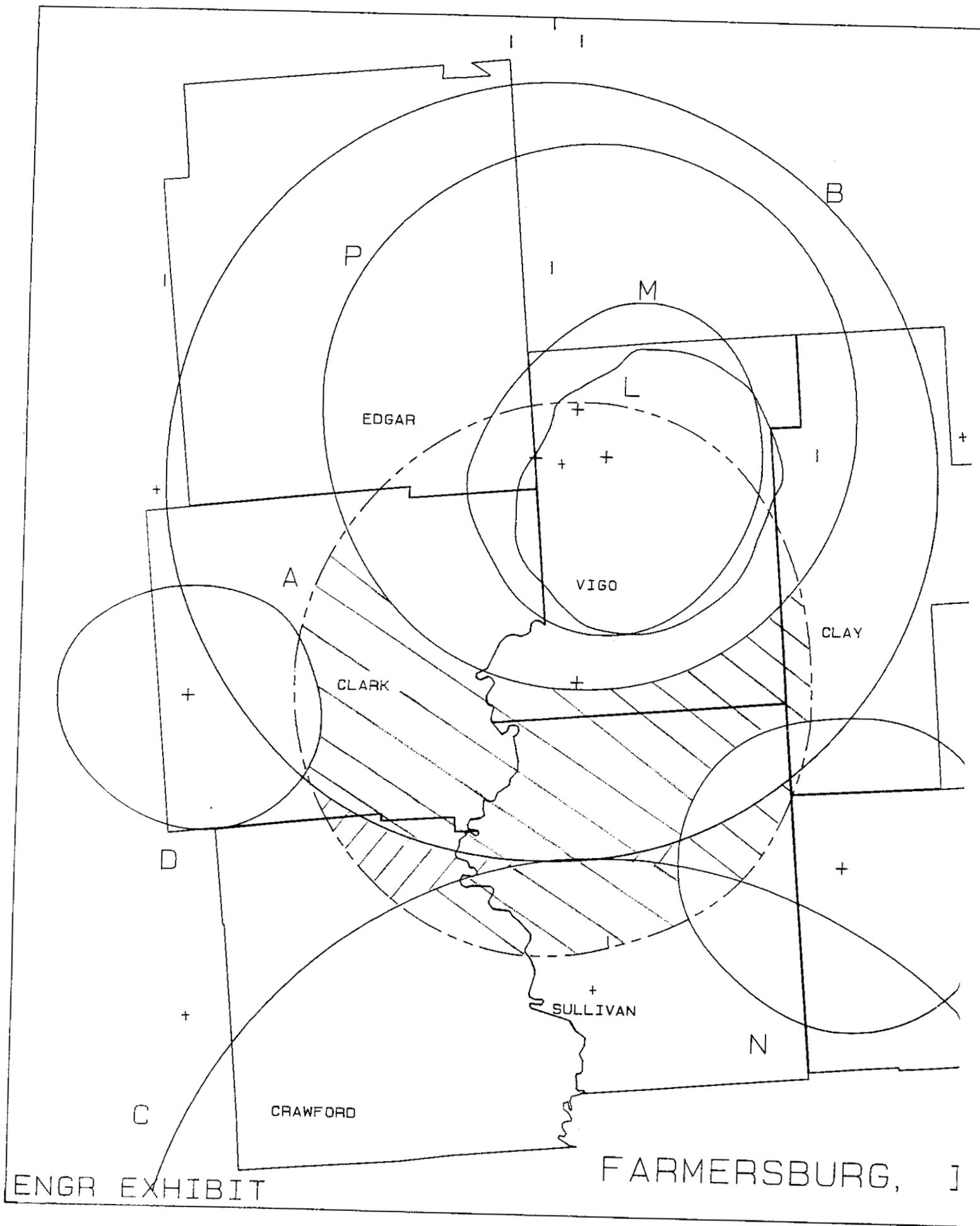
A first non-commercial service would be provided to a population of 1,513 (2000 Census).

A second non-commercial service would be provided to a population of 18,165 (2000 Census).

A total population provided a first and a second non-commercial service is 19,678 (2000 Census), which is 16.34% of the 1mV/m contour population.

Prepared by Paul Dean Ford, P.E. November 21, 2003.

A handwritten signature in cursive script that reads "Paul Dean Ford". The signature is written in black ink and is positioned below the typed name and date.



KEY TO CONTOURS

A - - -  
 A Prop 60dBu 242A  
 6Kw ERP 100M HAAT  
 39, 17, 33, 87, 29, 50  
 B  
 B WISU, TerreHaute, IN60dBu  
 209B 13.5kw ERP 156m HAAT  
 39, 30, 26, 87, 31, 50  
 C  
 C WVUB, Vincennes, IN  
 60dBu 50kW ERP 152m HAAT  
 216 (B) 38, 39, 06, 87, 28, 37  
 D  
 D WLHW (CP), Casey, IL 60dBu  
 218A 6kW ERP 60m HAAT  
 39, 18, 14, 87, 58, 15  
 L +  
 L WCRT, TerreHaute, IN60dBu  
 1.05kW ERP 98m HAAT  
 203 (A) 39, 30, 14, 87, 26, 37  
 M  
 M WMHD, TerreHaute, IN60dBu  
 214 (A) 1.4kW ERP 70m HAAT  
 39, 30, 14, 87, 26, 37  
 N  
 N WYTJ, Linton, IN 50dBu  
 1.0kW ERP 89m HAAT  
 207A 39, 05, 59, 87, 10, 59  
 P  
 P WPFR, Clinton, IN 60dBu  
 230A 2.35kW ERP 161m HAAT  
 39, 33, 01, 87, 28, 32

Word Power, Inc.  
 FARMERSBURG, IN  
 STUDY 242A for NCE  
 Showing Area 1st & 2nd  
 NCE Service 11/17/03  
 Paul Dean Ford, P.E.  
 1st Serv 1, 513 (2000Cen)  
 2nd Serv 18, 165 (2000Cen)  
 Total 19, 678 (16.34%)  
 1mV/m Area & Pop 242A  
 Area = 2, 537.66 sq.km.  
 Population = 120, 406  
 1st Service ///////////////  
 2nd Service \\\\\\\\\\\

+

+

+

GREENE

KILOMETERS	
REFERENCE POINT COORDS:	MAP PROJECTION-ALBERS
LATITUDE: 38 50 0	TIC MARK INTERVAL: .5 <sup>0</sup>
LONGITUDE: 88 14 0	

N 242A