

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D C 20554

RECEIVED
 JAN 9
 FCC MAB

In the Matter of)
)
 Amendment of Section 73.202(b),) MM Docket No. _____
 Table of Allotments) RM _____
 FM Broadcast Stations)
 (Yazoo City and Benton, Mississippi))

To: Chief, Allocations Branch
 Policy and Rules Division
 Mass Media Bureau

PETITION FOR RULEMAKING

SSR Communications Incorporated (“SSR”), licensee of WYAB, Yazoo City, Mississippi, pursuant to Rule 1.401, hereby petitions the Federal Communications Commission for the initiation of a rulemaking proceeding to amend the FM Table of Allotments (§73.202(b) of the Commission’s Rules) to delete FM Channel 226A at Yazoo City, Mississippi and reassign FM Channel 226A to Benton, Mississippi, as that community’s first local broadcast service, as follows.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Yazoo City, Mississippi	208A, 221C3, 226A	208A, 221C3
Benton, Mississippi	---	226A

1 SSR requested the Commission to allot FM Channel 226A to Benton in an earlier initial Petition for Rulemaking on April 14th of 2003. The Commission returned SSR’s Petition as unacceptable because the reference coordinates for the allotment were short-spaced to KQID-FM (226C) at Alexandria, Louisiana by approximately 2.2 kilometers. SSR now comes before the Commission to refile its Petition for Rulemaking

No. of Copies _____
 List Agency _____
 MB. 04-5

TABLE 1 - ALLOCATION STUDY
ALL DISTANCES GIVEN IN KILOMETERS

<u>Station</u>	<u>Freq</u>	<u>Type</u>	<u>Ch</u>	<u>Cl</u>	<u>City of License</u>	<u>St</u>	<u>Dist</u>	<u>Req Dist</u>	<u>Diff</u>
WYAB	93.1	FA	226A	USE	YAZOO CITY	MS	0 00	115 00	115 00*
WYAB	93.1	FM	226A	LIC	YAZOO CITY	MS	2 21	115 00	112 79*
-	93.1	FR	226A	DEL	YAZOO CITY	MS	2 21	115 00	112 79*
-	93.1	FR	226A	ADD	BENTON	MS	2 21	115 00	112 79*
KQID-FM	93.1	FM	226C	LIC	ALEXANDRIA	LA	225 58	226 00	0 42
KQID-FM	93.1	FA	226C	USE	ALEXANDRIA	LA	225 58	226 00	0 42
WSYE	93.3	FM	227C	LIC	HOUSTON	MS	164 67	165 00	0 33
WDTL-FM	92.9	FM	225C2	LIC	CLEVELAND	MS	105 67	106 00	0 33
WQST-FM	92.5	FM	223C	LIC	FOREST	MS	95 78	95 00	-0 78
WQST-FM	92.5	FA	223C	USE	FOREST	MS	95 78	95 00	-0 78
WQST-FM	92.5	FM	223C	APP	FOREST	MS	95 78	95 00	-0 78
WDTL-FM	92.9	FA	225C2	USE	CLEVELAND	MS	109 06	106 00	-3 06
WSYE	93.3	FA	227C	USE	HOUSTON	MS	168 90	165 00	-3 90
WHJT	93.5	FA	228A	USE	CLINTON	MS	49 43	31 00	-18 43
WHJT	93.5	FM	228A	LIC	CLINTON	MS	56 12	31 00	-25 12
-	92.9	FA	225A	USE	HAZLEHURST	MS	105 88	72 00	-33 88
WDXO	92.9	FM	225A	LIC	HAZLEHURST	MS	105 88	72 00	-33 88
KLPL-FM	92.7	FM	224A	LIC	LAKE PROVIDENCE	LA	87 28	31 00	-56 28
KLPL-FM	92.7	FA	224A	USE	LAKE PROVIDENCE	LA	87 62	31 00	-56 62
NEW	92.7	FX	224D	APP	CEDAR HILLS	MS	63 74	0 00	-63 74
930208MC	93.1	FM	226A	CP	HATTIESBURG	MS	181 78	115 00	-66 78
930208MA	93.1	FA	226A	USE	HATTIESBURG	MS	193 26	115 00	-78 26

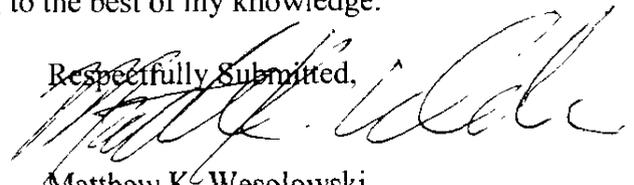
* These short-spacings are mutually-exclusive with Petitioner's present assignment.

CERTIFICATION

I certify that I have directly prepared or supervised the preparation of this entire document. Although I have received no legal counsel on the authoring of this Petition for Rule Making, I believe it to be accurate and true, to the best of my knowledge.

Date: January 2, 2004

Respectfully Submitted,



Matthew K. Wesolowski

General Manager

SSR Communications, Inc.

5270 West Jones Bridge Road

Norcross, GA 30092-1628

(770) 447-0026

with a different and fully spaced reference site SSR respectfully requests that the Commission act expediently on its second attempt to add first commercial service to Benton

2. Benton is a bona-fide community for allotment purposes. Although it is not an incorporated city, it does have the requisite characteristics of a community As of January of 2002, there were 2,112 residents living within the community's zip code point: 39039. According to the 1990 U.S. Census Gazetteer Zip Code data, there were only 1114 residents living in Benton in the year 1990, making for a 12-year increase in population of almost 90%. The community sports its own Post Office (39039), private school (the Benton Academy), large volunteer fire department, several churches, and numerous businesses An attached presentation (attached hereto as Exhibit 1) better illustrates SSR's contention that Benton is a community for allotment purposes with photographs and telephone listings, among other showings.

3. Per the attached Engineering Statement (attached hereto as Exhibit 2), Channel 226A can be assigned to the community of Benton using the reference site of 32-50-29 N, 90-16-28 W (NAD 27). The reference site is the *same* as the current reference site in the Commission's database for WYAB's present allotment at Yazoo City. At the reference site, all minimum distance separation requirements of §73.202(b) of the Commission's Rules are met. The principal community contour coverage requirements of §73.315 are also met at the reference site.

4. SSR believes that this Petition will result in a preferential arrangement of the Table of Allotments, as Benton would receive its first local broadcast service. Yazoo City will continue to be well served by its other broadcast outlets, including WJNS-FM

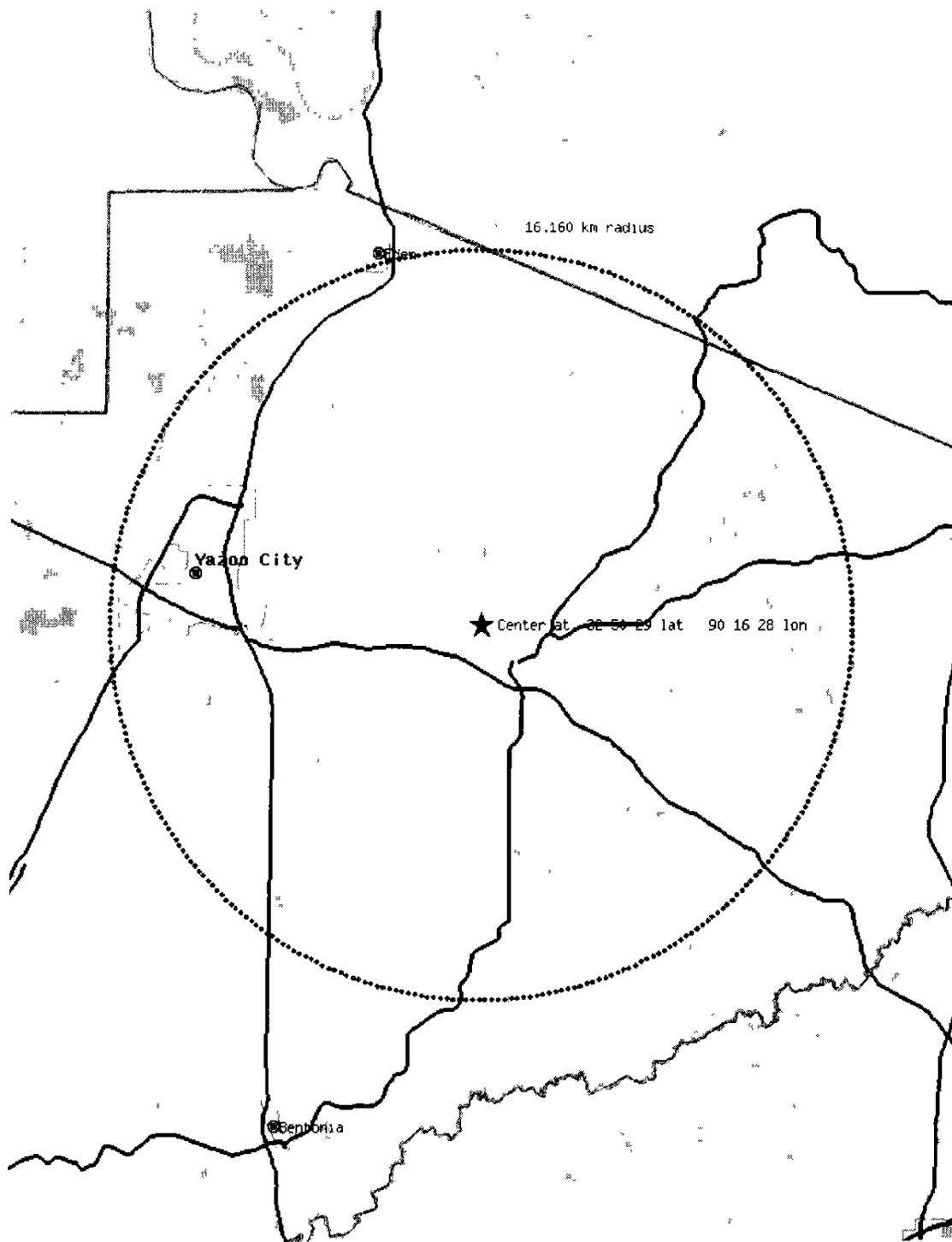


FIGURE 1 - SITE MAP

Proposed FM Channel 226A (93.1 MHz) Benton, MS
70 dBu Contour

on FM Channel 221C3, as well as yet-to-be constructed station WYAZ on FM Channel 208A.

5 SSR believes that, for reasons stated above and in its exhibits, a rulemaking proceeding should be initiated to amend §73.202(b) to delete FM Channel 226A at Yazoo City, Mississippi, reassign FM Channel 226A to Benton, Mississippi, and modify the license of WYAB accordingly.

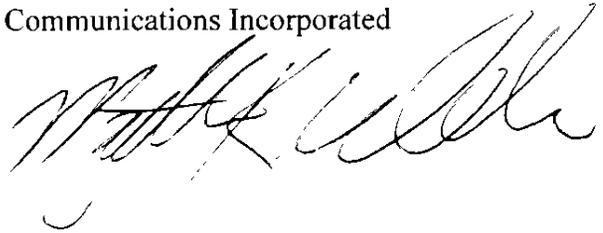
Dated: January 2, 2004

SSR Communications Incorporated
5270 West Jones Bridge Road
Norcross, GA 30092-1628
(770) 447-0026

Respectfully submitted,

SSR Communications Incorporated

By:

A handwritten signature in black ink, appearing to read 'Matthew K. Wesolowski', written over a horizontal line.

Matthew K. Wesolowski
General Manager

SSR Communications Incorporated
Petition for Rulemaking
January 2, 2004

EXHIBIT 2
Engineering Statement

SSR Communications Incorporated
Petition for Rulemaking
January 2, 2004

EXHIBIT 1

Evidence that Benton, Mississippi is a Bona-Fide Community

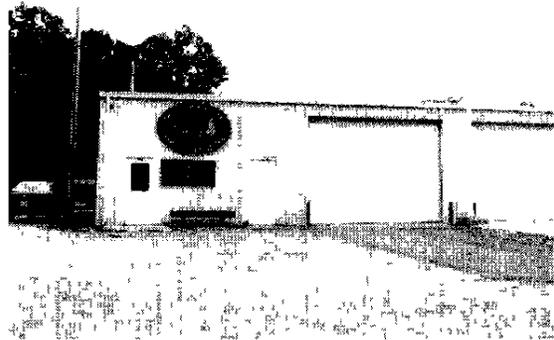
EXHIBIT 1, PART C: BENTON TELEPHONE DIRECTORY SAMPLING

NAME	ADDRESS	TELEPHONE
<i>CHURCHES</i>	<i>All: BENTON, MS 39039</i>	(Benton Exchange: 673)
St. Luke C of God/Chr.	59 Saint Luke Church Rd	(662) 673-8252
Benton Baptist Church	2507 Fugates Rd	(662) 673-2328
Scotland Baptist	6169 Scotland Rd	(662) 673-9959
Oak Grove AME	8866 Hwy 16 East	(662) 673-9176
<i>GOVT/ED/COMMUNITY/OTHER</i>		
Benton Academy (K-12)	Hwy 433	(662) 673-9722
U S. Post Office 39039	1224 Old Hwy 16	(662) 673-9773
Benton Volunteer Fire	Hwy 433	
YCA Headstart Office	735 E Powell St	(662) 673-1667
<i>AUTOMOBILE</i>		
Benton Phillip 66	6161 Highway 16 E	(662) 673-9066
Fast Lube	Hwy 433	
Midway Grocery/Garage		(662) 673-9731
Berry's Gas		(662) 673-9652
British Petroleum	Hwy 14	
Carter's Auto Repair	Hwy 433	
<i>Banks</i>		
Bank of Yazoo City	1291 Old Hwy 16	(662) 673-0119
<i>MEDICAL</i>		
Carlsbad Physician Asc.	189 Whispering Pines Rd	(662) 673-0202
<i>OTHER BUSINESSES</i>		
FinalTouch Family Salon	8801 Hwy 16 E	(662) 673-0304
Architectural Millworks		(662) 673-2332
Ashland Discount Outlet	3337 Hwy 4 W	(662) 224-8008
Bar Mixes, Ltd.	6727 Highway 16 E	(662) 673-9761
Benton Country Club	Hwy 432	
Benton Farm Supply	6303 Highway 16 E	(662) 673-8811
Benton Mini Storage	Hwy 14	(662) 673-9652
Boatner Enterprises	6161 Highway 16 E	(662) 673-9011
Champion Hill Farms	7391 Highway 16 E	(662) 673-8227
Matthew's Farms	Hwy 433	
Mills Taxidermy	11437 Hwy 433 S	(662) 673-2284
MS Plastic Molders, Inc	Hwy 16	(662) 673-9077
Mona's Barber/Styling	1326 Old Hwy 16	(662) 673-9947
Nelson Builders		(662) 673-9350
Network Supply, Inc.		(662) 673-9388
Reece Surveying	688 Hwy 433	(662) 673-8881
Riverview Marketing	4561 Paradise Rd	(662) 673-8132
Shell Pipe Line Corp.	Hwy 16	(662) 673-9160
Super Saver Grocery	1269 Old Hwy 16	(662) 673-9814
Super Saver Laundry	1269 Old Hwy 16	(662) 673-9814
Video Shak	1326 Old Highway 16	(662) 673-9635
Williams Electric Svc.	11901 Highway 16 E	(662) 673-0181
Wylie, Ruth CPA	1918 Old Highway 16	(662) 673-9080
Trading Post	Old Hwy 16	

EXHIBIT 1, PART A: PHOTOGRAPHS OF BENTON COMMUNITY



Benton Academy - Home of the Red Raiders and ~500 K-12 students.



Benton Volunteer Fire Department - Facility is only a few years old.



Benton Mini-Storage - A Company in town with "Benton" in its name.



U.S. Post Office - Serves Benton with the 39039 Zip Code.

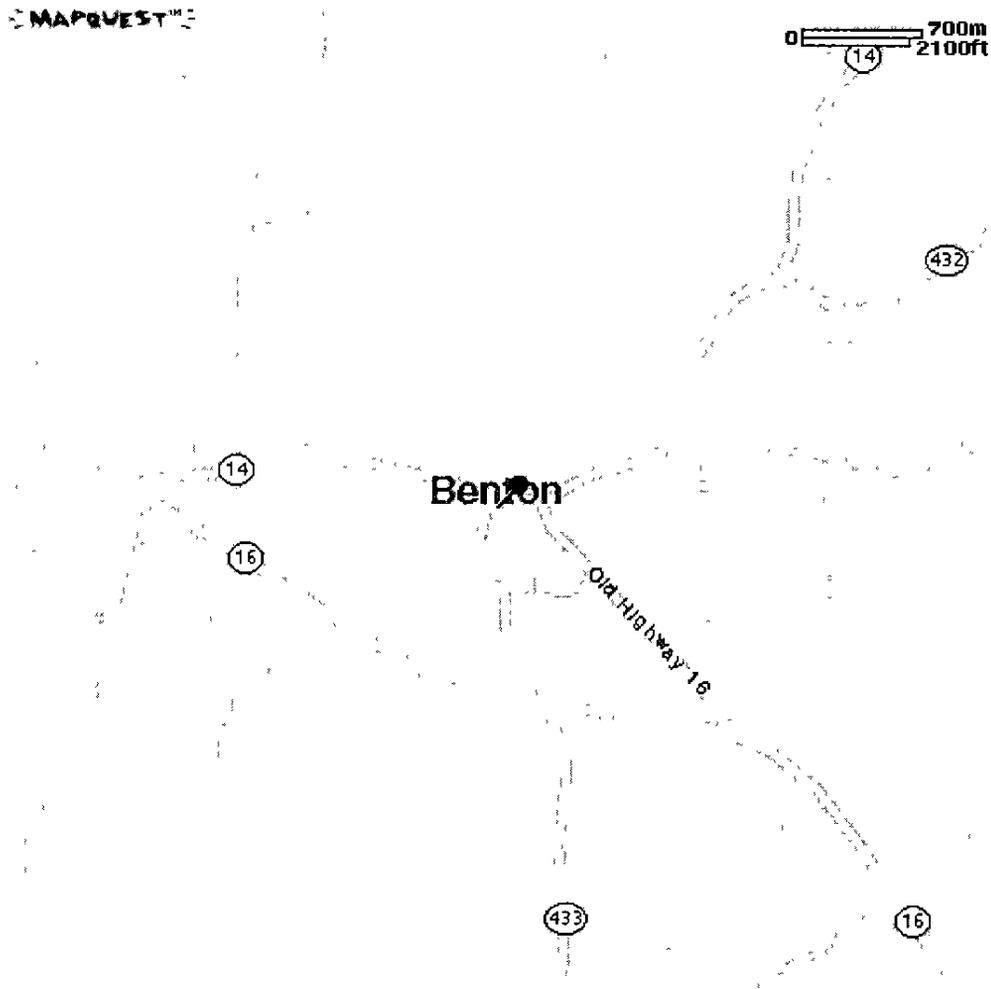


Benton United Methodist Church - one of several Benton churches.



The Trading Post Store - Another popular business in Benton.

EXHIBIT 1, PART B: BENTON ON A MAP



©2003 MapQuest.com, Inc.; ©2003 GDT, Inc

Benton is an important transportation hub: it is the intersection point for Mississippi State Highways 14, 16, 432, and 433.



Historic Marker - explains the history of the Benton community:

BENTON

- * -

Yazoo County seat, 1829-50.
Settled by Wm. Y. Gadberry,
1828, first court being held
in his log home. Chartered,
1836, Nearby Cedar Grove
Plantation was home of
Col. John Sharp & of famed
Sen. John Sharp Williams.

Mississippi Historical Commission