

ORIGINAL

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b),)	MM Docket No. 03-258
Table of Allotments,)	RM-10833
FM Broadcast Stations.)	
(Newcastle and Pine Haven, Wyoming))	

TO: Secretary, Federal Communications Commission
Attn: Chief, Allocations Branch

REPLY (CORRECTED)¹

Michael Radio Group ("MRG") files this Reply in response to the Counterproposal filed by Tracy Broadcasting Corporation ("TBC"). MRG generally supports the Counterproposal provided MRG is granted a C0 upgrade in Newcastle, Wyoming on Channel 222 C0 as proposed by TBC or 258C0 as proposed by MRG ²

As detailed below, the service upgrades proposed in the Counterproposal can be effected with far fewer channel substitutions than proposed in the Counterproposal. TBC proposes channel changes for four existing stations and the substitution of channels for six vacant allotments to accommodate (1) the reallocation of Channel 225C from Scottsbluff, Nebraska to a downgraded 225C2 to Warren Air Force Base, (2) the substitution of Channel 226C1 for Channel 239C3 in Gering, Nebraska, and (3) the substitution of Channel 222C0 for 258A in Newcastle, Wyoming.

¹ This Corrected Reply is an Erratum to the Reply filed by Michael Radio Group on March 3, 2004. It specifically corrects the heading to include Newcastle as well as Pine Haven, as well as providing the Docket and Rulemaking numbers. Also, "Channel 229C3" is deleted and corrected to "Channel 239C3" on Page 1, line 9.

² TBC proposes the alternate substitution of Channel 222A for Channel 258A in Newcastle. MRG does not support this alternate allocation.

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By substituting Channel 248A (instead of 228A as proposed by TBC) for Channel 224A in Centennial, Wyoming, no channel substitution would be necessary for broadcast stations KRKI, Newcastle, Wyoming and KQRQ, Rapid City, South Dakota. ³ Furthermore, no channel substitutions as proposed by TBC would be necessary for vacant allotments in Wright, Wyoming; Casper, Wyoming; Douglas, Wyoming; and Kaycee, Wyoming.

The same channel allotments requested by TBC and MRG can be made by making the following proposed changes in the Table of Allotments:

	<u>Present</u>	Proposed In NPRM	Suggested
Pine Haven, Wyoming	259A	260A	260A
Newcastle, Wyoming	258A	258C0	258C0
Scottsbluff, Nebraska	225C, 231C1	-----	231C1
Gering, Nebraska	239C3	-----	226C1
Warren AFB, Wyoming	-----	-----	225C2
Centennial, Wyoming	224A	-----	248A

MRG respectfully submits that the same benefits TBC attempts to achieve in its Counterproposal can be achieved much more efficiently and without the need to change the channels of two existing stations or change channels for other vacant allotments.

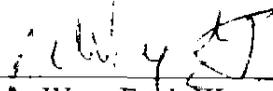
In sum, MRG supports the TBC Counterproposal provided Channel 222C0 is substituted for Channel 258A in Newcastle, Wyoming, or, provided Channel 258C0 is substituted for Channel 258A in Newcastle, Wyoming as proposed in MRG's original Petition for Rulemaking. In the event Channel 222C0 is substituted for Channel 258A in Newcastle, MRG requests that TBC be ordered to reimburse MRG's reasonable expenses associated with changing frequencies as required by Commission rules and policy. As noted above, MRG believes the improved service contemplated by both MRG and TBC can be effected more quickly by eliminating the need for issuance of Show

³ The same results can be obtained by a change in the allotment point for Channel 224A in Centennial or by substitution of Channel 253A for Channel 259A at Wright, Wyoming

Cause Orders and more effectively by reducing the total number of Channel substitutions for vacant allocations by adoption of the channel substitutions noted above.

Respectfully submitted,

MICHAEL RADIO GROUP

By  _____
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March 4, 2004

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TECHNICAL STATEMENT

This technical statement is prepared to support reply comments filed on behalf of Michael Radio Group (“MRG”) in response to a Counterproposal filed by Tracy Broadcasting Corporation (“TBC”) in MB Docket No. 03-258, RM-10833.

MRG is the petitioner in this matter. It is seeking to substitute the current vacant allotment at Pine Haven, Wyoming from channel 259A, to channel 260A, to allow the upgrade of KRKI(FM) Newcastle, Wyoming from channel 258A to channel 258C0.

TBC seeks a complicated change of channels of 4 existing stations, and substitution of 6 vacant allotments.

MRG has studied these proposed changes by TBC. MRG has concluded that the proposed changes by TBC will not negatively impact its plans to upgrade KRKI Newcastle, Wyoming. Thus, MRG is not opposed to the counterproposal filed by TBC as it provides for an equivalent channel, 222C0 for KRKI, provided of course, that KRKI is reimbursed for its reasonable expenses in changing channels from 258 to channel 222.

However, MRG has also concluded, that the Counterproposal filed by TBC need not be as complicated as proposed to accomplish its primary goal

of changing the city of license for KMOR from Scottsbluff, Nebraska to Warren AFB, Wyoming and to upgrade the allotment of KOZY(FM) Gering, Nebraska from channel 239C3 to channel 226C1.

The “daisy chain” of channel changes proposed by TBC can be easily broken at two different points, Centennial, Wyoming or Wright, Wyoming, to eliminate the need to change the channels of two existing stations, KRKI Newcastle and KQRQ(FM) Rapid City.

The first and best point to break the chain would be at Centennial, Wyoming. TBC seeks to substitute the vacant allotment at Centennial, channel 224A with channel 228A. The issue with this proposal is that it is in conflict with the vacant allotment of channel 228C1 at Casper, Wyoming. TBC then seeks several more substitutions to create a substitute channel, channel 222C1, for Casper, ultimately requiring the change in channels of KRKI and KQRQ.

MRG has identified that several other equivalent substitute channels are available for use at Centennial. Figure 1 of this statement shows that channel 248A is available for use at Centennial to substitute channel 224A. This study was conducted at the current allotment point for channel 224A at Centennial, 41 – 19 – 03 N, 105 – 59 – 55 W. Other substitute channels would also be available at Centennial, Wyoming. channels 252A and 291A.

MRG has also identified that the substitution of channel 224A at Centennial would also not be required with a simple change in the allotment point for channel 224A at Centennial. Figure 2 of this statement shows that a change in the allotment point at Centennial to 41 – 13 – 23 N, 106 – 04 – 04 W, would allow for the new allotment of channel 225C2 at Warren AFB, Wyoming as proposed by TBC. Once again this would eliminate the daisy chain of allotment changes proposed by TBC.

Yet another way to break the chain of substitutions would be a substitution of channel 253A at Wright, Wyoming for channel 224A as proposed by TBC. Figure 3 of this statement shows that channel 253A can be allotted at Wright, Wyoming, thus once again eliminating the need to change the channels of existing stations, KRKI and KQRQ.

The TBC Counterproposal states that the public interest benefits by its proposal are the new first local service of channel 225C2 at Warren AFB, Wyoming and the improved service at Gering, Nebraska with the proposed upgrade in service by KOZY by changing channels from 239C3 to channel 226C1. MRG agrees that these two proposals would be in the public interest.

Since these are the only two public interest benefits proposed by the TBC Counterproposal, MRG feels that these changes can be made much

more efficiently without the need to change the channels of two existing stations

While MRG does not oppose the Counterproposal filed by TBC, it proposes both parties proposals can be met with a more efficient means. MRG suggests to the Commission the following more efficient allotment plan which will serve both parties interests:

Community	Channels		
	Present	Proposed In NPRM	Suggested
Pine Haven, WY	259A	260A	260A
Newcastle, WY	258A	258C0	258C0
Scottsbluff, NE	225C, 231C1	--	231C1
Gering, NE	239C3	--	226C1
Warren AFB, WY	--	--	225C2
Centennial, WY	224A	--	248A

Obviously, MRG supports its original Petition for Rulemaking to substitute channel 260A for channel 259A, the vacant allotment at Pine Haven, to allow for the upgrade of its station KRKI Newcastle from channel 258A to channel 258C0, should the Counterproposal filed by TBC be denied by the Commission.

In summary, should the Commission decide to adopt the entire Counterproposal filed by TBC, MRG only would seek to be reimbursed by

TBC for its reasonable expenses in being required to change channels from channel 258 to channel 222, since MRG was seeking to “one step upgrade” on its same channel and continue service to Newcastle, Wyoming on the same frequency. A change in channel will cause listener confusion and will require MRG to re-market the station, etc.. MRG has a one step application on file at the Commission, BPH-20030919AAV, facility ID 89114.

As noted, MRG feels that a much simpler means is possible to effectuate the planned changes by MRG and TBC.

MRG respectfully requests that the Commission adopt its changes as proposed in its original Petition for Rulemaking, MB Docket No. 03-258, RM-10833. If the Commission elects to adopt the Counterproposal filed by TBC in this proceeding, that it either simplify TBC’s proposal as outlined in the statement, thus allowing KRKI to upgrade on its present channel, or if the Commission adopts the entire Counterproposal filed by TBC, then MRG asks the Commission to require TBC to reimburse MRG for the reasonable costs incurred for KRKI to change channels.

Respectfully submitted,

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Figure 1, Proposed Allotment Point
 Centennial, Wyoming, Channel 248A

REFERENCE
 41 19 03 N
 105 59 55 W

CLASS = A
 Current Spacings

DISPLAY DATES
 DATA 03-02-04
 SEARCH 03-02-04

----- Channel 248 - 97.5 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
KBCOFM	LIC-D 247C	Boulder	CO 166.99	158.9	165.0	1.99
KQLF.C	CP 250C1	Cheyenne	WY 82.28	124.6	75.0	7.28
KQLF	LIC 250C1	Cheyenne	WY 86.64	105.9	75.0	11.64
KBCRFM	LIC 245C2	Steamboat Springs	CO 119.01	217.2	55.0	64.01

Figure 2, Proposed Allotment Point
Centennial, Wyoming, Channel 224A

REFERENCE 41 13 23 N CLASS = A DISPLAY DATES
106 04 04 W Current Spacings DATA 03-02-04
SEARCH 03-02-04
----- Channel 224 - 92.7 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
ALLO	VAC 224A	Centennial	WY 11.99	28.8	115.0	-103.01
RDEL	DEL 224A	Centennial	WY 11.99	28.8	115.0	-103.01
RADD	ADD 224C1	Douglas	WY 187.81	20.8	200.0	-12.19
KIQZ	LIC 224A	Rawlins	WY 115.09	302.4	115.0	0.09
RADD	ADD 225C2	Warren Afb	WY 106.09	100.4	106.0	0.09
KKCF	LIC-N 224C	Glenwood Springs	CO 228.82	209.2	226.0	2.82
KKCH.A	APP-N 224C	Glenwood Springs	CO 228.82	209.2	226.0	2.82
KDJM	LIC-D 223C1	Broomfield	CO 159.32	141.5	133.0	26.32
RDEL	DEL 225C	Scottsbluff	NE 199.19	69.1	165.0	34.19
KMOR	LIC 225C	Scottsbluff	NE 199.19	69.1	165.0	34.19
ALLO	VAC 223C1	Douglas	WY 180.41	26.4	133.0	47.41
RDEL	DEL 223C1	Douglas	WY 180.41	26.4	133.0	47.41
RDEL	DEL 227C	Fort Collins	CO 159.32	141.5	95.0	64.32
KICL	LIC-Z 227C	Fort Collins	CO 159.32	141.5	95.0	64.32
ALLO	VAC 277A	Hanna	WY 82.88	330.1	10.0	72.88

Figure 3, Proposed Allotment Point
Wright, Wyoming, Channel 253A

REFERENCE
43 50 02 N
105 28 29 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 03-02-04
SEARCH 03-02-04

----- Channel 253 - 98.5 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
KZZS	LIC 252C1	Story	WY 138.86	307.0	133.0	5.86
971007	APP 252A	Glenrock	WY 108.85	197.1	72.0	36.85
971009	APP 252A	Glenrock	WY 109.48	197.0	72.0	37.48
971010	APP 252A	Glenrock	WY 112.47	196.7	72.0	40.47
ALLO	VAC 252A	Glenrock	WY 113.09	196.7	72.0	41.09
KLMZ	LIC 250C	Rapid City	SD 142.42	66.7	95.0	47.42
KOUT	LIC 254C1	Rapid City	SD 180.48	80.8	133.0	47.48
K06JM	LI -D 06ZT	Gillette	WY 50.16	339.6	0.0	50.16
ALLO	VAC 255C1	Manville	WY 136.27	149.1	75.0	61.27
KZZS.C	CP 252A	Story	WY 138.63	307.0	72.0	66.63

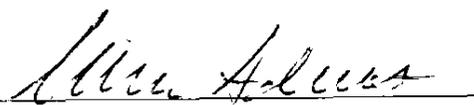
CERTIFICATE OF SERVICE

I, Millie Adams, in the law offices of Gammon & Grange, P.C., hereby certify that I have sent this 4th day of March, 2004, by first-class, postage prepaid, U.S. Mail, copies of the foregoing REPLY to the following.

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