

Before the
FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

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MAR 11 2004

Federal Communication Commission
Bureau / Office

In the Matter of:)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations,)
(Talladega and Munford, Alabama))

MB Docket No. 04-19
RM - 10845

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MAR 25 2004

To: Assistant Chief, Audio Division
Media Bureau

Federal Communications Commission
Office of the Secretary

**COMMENTS & STATEMENT OF CONTINUING INTEREST
OF
JACOBS BROADCAST GROUP, INC.**

Jacobs Broadcast Group, Inc. ("Jacobs"), by Counsel, pursuant to Paragraph No. 2 of the Appendix to the *Notice of Proposed Rule Making (DA 04-230, released February 6, 2004) ("NPRM")*, hereby respectfully submits these Comments & Statement of Continuing Interest in the above-captioned Rule Making proceeding. In support hereof, Jacobs submits the following:

Preliminary Statement

1. On February 6, 2004 the Commission, in response to a petition filed by Jacobs, released the NPRM wherein it proposed to amend §73.202(b) of the Rules, Table of Allotments, as follows:

<u>City / State</u>	<u>Existing</u>	<u>Proposed</u>
Talladega, Alabama	224A	---
Munford, Alabama	---	248A

2. In its original Petition, Jacobs submitted a Technical Statement to demonstrate that Channel 224A may be re-allotted to Munford, Alabama for Radio

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Station WTDR-FM in compliance with Section 73.207 of the Commission's Rules regarding current spacing requirements at the current WTDR-FM transmitting site while also providing the requisite 3.16 mV/m city-grade contour coverage over the entire community of Munford. Jacobs also noted that local aural service would remain in Talladega from Radio Station WNUZ-AM.

The Proposed Reallotment Is In The Public Interest

3. Acceptance of this Petition and the modification of the WTDR-FM license to specify Munford as its community of license is in the public interest. This proposal provides first local aural service to the community of Munford, without depriving Talladega of any local aural service since WNUZ-AM will continue to be licensed to Talladega. Furthermore, as Jacobs originally submitted and the Commission acknowledged in the NPRM, this proposal results in a preferential arrangement of allotments, a new service benefit to the communities involved, and qualifies for consideration without affording other interested parties an opportunity to file competing expressions of interest. *See, Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990).*

Statement of Continuing Interest

4. Jacobs hereby states that, should the Commission approve the proposal set forth in this Rule Making proceeding and adopt the amendment to the FM Table of Allotments proposed herein, it would file an application for modification of the WTDR-FM license to specify Munford as its community of license.

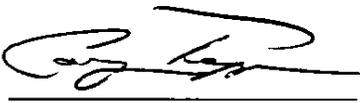
Conclusion

WHEREFORE, the above premises considered, Jacobs respectfully urges the Commission to approve the instant proposal to amend § 73.202(b) of the Commission's Rules, FM Table of Allotments, as follows:

<u>City / State</u>	<u>Existing</u>	<u>Proposed</u>
Talladega, Alabama	224A	---
Munford, Alabama	---	248A

Respectfully submitted,

JACOBS BROADCAST GROUP, INC.

By: 
Cary S. Tepper

Its Attorney

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March 11, 2004

CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 11th day of March, 2004, I have served a copy of the foregoing "**Comments & Statement of Continuing Interest**" first-class, postage-prepaid, on the following:

*John A. Karousos
Chief, Allocations Branch
Federal Communications Commission
445 12th Street, S.W.; Room 3-A266
Washington, D.C. 20554



Cary S. Tepper, Esq.

*/ indicates delivery by hand