

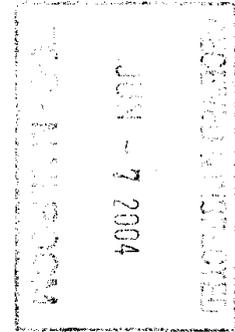


Federal Communications Commission
Washington, D.C. 20554

C40203
Imaging Center

May 28, 2004

Charles Crawford
4553 Bordeaux Avenue
Dallas, Texas 75205



In re: RM-10746

Dear Mr. Crawford:

This letter is in reference to a petition for rule making you filed proposing the allotment of Channel 292A to Converse, Louisiana. In order to accommodate this allotment, you requested the reclassification of Station KOOI-FM, Channel 293C, Jacksonville, Texas, to specify operation on Channel 293C0.

In accordance to the *Second Report and Order* in MM Docket No. 98-93¹, and as set forth in Section 1.420(g), note 2, and Section 73.3574, note 4 of the Commission's rules, Station KOOI-FM is subject to reclassification as a Class C0 facility since it is operating below minimum Class C standards. As a result, an *Order to Show Cause* ("*Order*")² was issued on July 24, 2003 pursuant to the reclassification procedures set forth in Section 73.3573, note 4 of the Commission's Rules, which afforded the licensee an opportunity to show why its respective license should not be modified to a Class C0 facility. Waller Broadcasting, Inc. ("Waller Broadcasting"), licensee of Station KOOI-FM filed comments in response to the *Order* stating its intention to file a minor change construction permit application to increase its antenna height above 451 meters HAAT. Waller Broadcasting filed an acceptable construction permit application on October 14, 2003 to increase its antenna height above 451 meters HAAT³. Therefore, pursuant to Section 1.420(g), note 2 of the Commission's Rules, your petition proposing the allotment of Channel 292A to Converse, Louisiana is hereby dismissed.

As noted in the *Order*, the present three-year construction period will be applicable under this reclassification procedure. If the construction is not completed as authorized, Station KOOI-FM is subject to reclassification automatically as a Class C0 station, and, in that event, a new petition for rule making to allot Channel 292A at Converse may be filed.

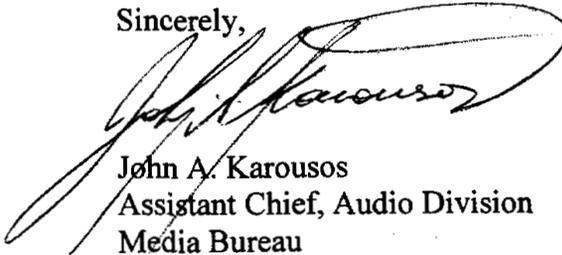
¹ See 1998 Biennial Regulatory Review – Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules, 15 FCC Rcd 21649 (2000).

² *Reclassification of License of Station KOOI-FM, Jacksonville, Texas*, 18 FCC 15159 (MB 2003).

³ See BPH-20031014AFS.

In light of the above, we are returning your petition for rule making for Channel 292A at Converse, Louisiana

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos". The signature is written in a cursive style with a large, sweeping flourish at the end.

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Enclosure

Before the
Federal Communications Commission
Washington, D.C. 20554

RECEIVED & INSPECTED
JUN 10 2003
FCC-MAILROOM

In the Matter of)
)
Amendment of 73.202 (b)) MB Docket No. _____
Table of Allotments)
FM Broadcast Stations)
(Converse, LA)

To: John Karousos, Assistant Chief
Audio Division of the
Media Bureau

JUN 10 2003
FCC-MAILROOM

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 292A at Converse, Louisiana.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 292A to Converse, Louisiana as that community's first local FM service. Converse is an incorporated community with its own zip code and a population of 408 persons. Converse has its own Mayor, Harold Brumley, its own school system, its own volunteer fire department, police department, post office and a number of local churches. Converse is a community that is certainly deserving of local FM service. The proposed channel 292A will provide additional diversity and an outlet for local self-expression to Converse residents and therefore is in the public interest.

In order for Channel 292A to be allotted at Converse, Louisiana, station KOOI Channel 293C in Jacksonville, Texas will need to be reclassified to a C0. Pursuant to MM Docket 98-93, I am making a formal request for station KOOI in Jacksonville to be reclassified from a C to a C0. (See, Attachment A, Request to Reclassify statement)

32-3-40 NL & 95-18-50

Attached hereto is a channel study confirming that Channel 292A can be allocated to Converse Louisiana, consistent with the FCC's FM separation rules, provided 293C in Jacksonville is reclassified to a C0. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B)

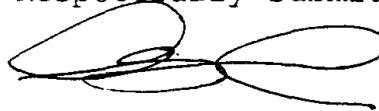
Reference coordinates for Channel 292A at Converse, Louisiana are:

31 41 00 N
93 44 40 W

Should this petition be granted and Channel 292A be allotted to Converse, Louisiana, Petitioner will apply for Channel 292A at Converse and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Charles Crawford
4553 Bordeaux Ave.
Dallas, Texas 75205
(214) 520-7077 Tele
(214) 443-9308 Fax

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17th Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Charles Crawford.

May 30, 2003

Attachment A

Charles Crawford
4553 Bordeaux Ave.
Dallas, Texas 75205

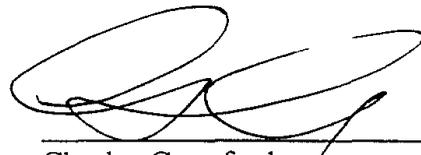
Petition for Rule Making
FM Channel 292A
Converse, Louisiana
May 30, 2003

Attachment A

Request to Reclassify
Station KOOI(FM), Jacksonville, Texas
Pursuant to MM Docket 98-93

Radio Station KOOI(FM), Jacksonville, Texas is licensed to Waller Broadcasting, Inc., P.O. Box 1648, Jacksonville, Texas 75766. (Facility ID 70740), FCC File No. BLH 19870416KB. The facility operates with a power of 100 kilowatts with center of radiation 447 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KOOI(FM) be modified to specify operation on FM Channel 293C0 instead of on FM Channel 293C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

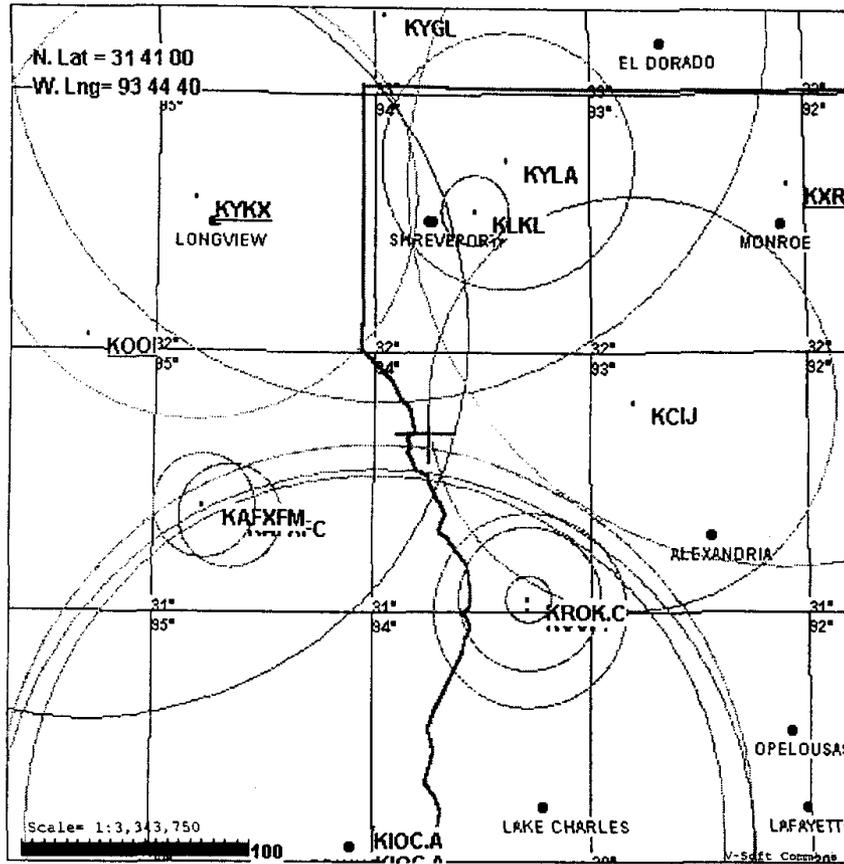
Charles Crawford, the proponent of Channel 292A/ Converse, Louisiana, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KOOI(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at Converse, Louisiana as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Waller Broadcasting, Inc., as is required in the above Docket.



Charles Crawford

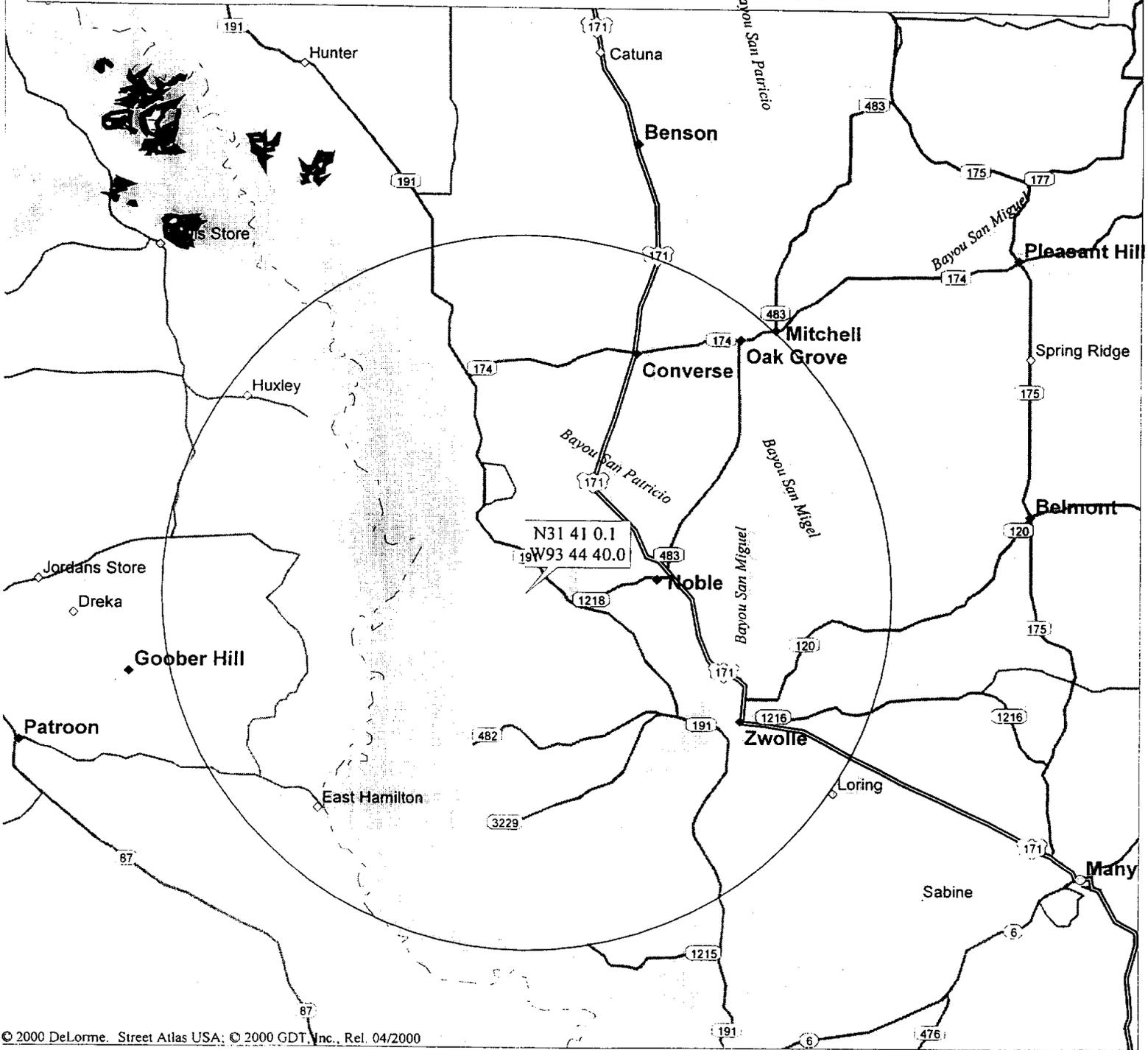
Attachment B

FM PROSP^(TM) LOCATE STUDY CH 292 A 106.3 MHz
Study



Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
KOOI	293C*	LIC	Jacksonville	TX	154.30	286.2	165.0	-10.70
KCIJ	293C3	LIC	Atlanta	LA	89.98	80.9	89.0	0.98
KIOC	291C*	LIC	Orange	TX	170.61	187.8	165.0	5.61
KIOC.A	291C*	APP	Orange	TX	170.94	187.8	165.0	5.94
KYGL	292C2	LIC N	Texarkana	AR	181.22	354.0	166.0	15.22
KIOC.A	291C	APP	Orange	TX	181.17	187.2	165.0	16.17
KIOC.A	291C	APP	Orange	TX	181.17	187.2	165.0	16.17
KIOC.A	291C0	APP	Orange	TX	170.94	187.8	152.0	18.94
KXRR	291C*	LIC	Monroe	LA	190.14	54.7	165.0	25.14
KVVP	289C3	LIC N	Leesville	LA	87.29	149.5	42.0	45.29
KYKX	289C*	LIC N	Longview	TX	143.09	315.3	95.0	48.09
KUMX	294A	LIC	North Fort Polk	LA	82.93	147.7	31.0	51.93
KYLA	294C2	LIC	Homer	LA	122.52	16.1	55.0	67.52
KAFXFC	238C1	CP	Diboll	TX	92.44	248.0	22.0	70.44
KROK.C	239A	CP	South Fort Polk	LA	82.93	147.7	10.0	72.93
KAFXFM	238C1	LIC	Diboll	TX	101.59	252.7	22.0	79.59
KLKL	239C2	LIC-Z	Minden	LA	98.70	11.7	15.0	83.70

Converse, LA CH 292A 3.16 mv



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Mag 11.00
 Fri May 30 14:31 2003
 Scale 1:250,000 (at center)
 5 Miles
 5 KM

- | | |
|---------------------------|----------------|
| US Highway | Land |
| Interstate/Limited Access | Water |
| Major Connector | River/Canal |
| State Route | Inundated Area |
| County Seat | |
| Small Town | |
| Locale | |
| State Boundary | |

CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 30th day of May, 2003, I caused copies of the foregoing "Petition for Rule making for Converse, Louisiana" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
12th Street Lobby-TW-A325
Washington, D.C. 20554

Gene Bechtel, Esq.
Law Offices of Gene Bechtel, P.C.
1050 17th Street, N.W., Suite 600
Washington, D.C. 20036-5517
(Counsel for Petitioner)

Waller Broadcasting, Inc.
Station KOOI
P.O. Box 1648
Jacksonville, Texas 75766



Charles Crawford