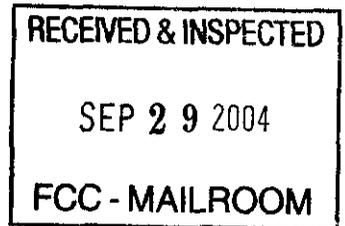


Dr. Sandra Woodruff
Engineering Consultant
2708 Hampton Ct. SE
Olympia, WA 98501

Phone: 360-705-0836
E-mail: SW@AToys.com



September 28, 2004

DOCKET FILE COPY ORIGINAL

Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

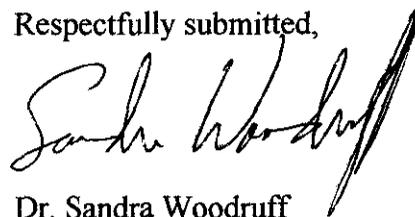
Re: Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
Oak Harbor, Washington
MB Docket No. 04-305; RM 10980

Dear Madam Secretary:

Transmitted herewith on behalf of Dr. Sandra Woodruff is an original and four copies of her Comments in Opposition in regard to the proposed allotment of Channel 289A to Oak Harbor, Washington pursuant to the Notice of Proposed Rule Making, DA 04-2461, released August 9, 2004 in the above-referenced proceeding.

Also included is an additional "Stamp and Return" copy. I ask that your office please affix your date stamp and return it in the enclosed envelope to help me verify that this document reached your office.

Respectfully submitted,



Dr. Sandra Woodruff

No. of Copies rec'd
List Att/DE

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SEP 29 2004
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Before The
Federal Communications Commission
Washington, D.C. 20554

In re:

Amendment of Section 73.202(b)

Table of Allotments
FM Broadcast Stations

Oak Harbor, Washington

**MB Docket No. 04-305
RM-10980**

To: John A. Karousos
Assistant Chief, Audio Division
Media Bureau

OBJECTION TO PETITION FOR RULEMAKING

I, Dr. Sandra Woodruff, Engineering Consultant, hereby oppose the Petition for Rulemaking, MB Docket No. 04-305, RM-10980, ("the Petition") that proposes to allot Channel 289A to Oak Harbor, Washington.

The Petition does not fully comply with Sec. 73.207 of the Commission's rules, being short spaced to existing Canadian station CBU-FM, Vancouver, B.C. Therefore, the Petition is subject to the Short Spacing rules contained in Sec. 73.215.

The petitioner states, "FM channel 289A can be assigned to Oak Harbor in full compliance with the Commission's domestic minimum distance separation requirements without a site restriction." Exhibit 1 shows that this statement is incorrect.

In fact, of the total 2582.5 sq km within the proposed Oak Harbor 289A Protected 60 dBμ contour, 1860.4 sq km is within the 40 dBμ interfering contour of co-channel CBU-FM. This means that fully 72 percent of the proposed Protected Oak Harbor 60 dBμ contour will receive interference from CBU-FM prohibited under Sec. 73.215(a).

While I strongly affirm the Commission's position that new radio service generally serves the public interest, the Petition does not warrant consideration because it does not comply with technical requirements. The Petition violates long-standing received interference standards outlined in Sec. 73.215. While Commission policy ignores received interference to U.S. stations on Canadian soil, I note that none of the received interference in the Petition is on Canadian soil.

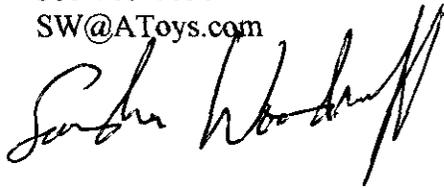
If accepting the Petition for filing is, in fact, simply a staff error, I must point out that this is not the only recent petition accepted with this problem. This apparent disconnect between the published rules and Commission practice makes it difficult for me to advise my engineering clients on their best options in technical matters before the Commission.

I respectfully request a more thorough staff examination of future Petitions to Amend the FM Table before FCC Staff, affected licensees and their legal and engineering consultants waste time and money on petitions that are not legally grantable. Or barring that, I would ask for a public clarification describing under what circumstances the Commission will ignore its published regulations.

Respectfully submitted,

Dr. Sandra Woodruff
Engineering Consultant
2708 Hampton Ct. SE
Olympia, WA 98501

360-705-0836
SW@AToys.com

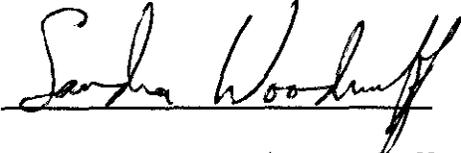
A handwritten signature in black ink, appearing to read "Sandra Woodruff", with a stylized flourish at the end.

AFFIRMATION AND CERTIFICATE OF SERVICE

I, Dr. Sandra Woodruff, hereby certify that the information presented herein is true and accurate, to the best of my knowledge. I further certify that a copy of the foregoing Objection was served by pre-paid First Class United States Mail, postage prepaid, on this date, September 28, 2004, upon the following:

Dana J. Puopolo
2134 Oak Street, Unit C
Santa Monica, California 90405
-Petitioner

David Tillotson, Esq.
Counsel, Jodesha Broadcasting, Inc
In re: MB Docket No. 04-305
4606 Charleston Terrace NW
Washington, D.C. 20007
-KJET Counterproposal

A handwritten signature in black ink that reads "Sandra Woodruff". The signature is written in a cursive style and is positioned above a horizontal line.

Dr. Sandra Woodruff

Exhibit 1 - Oak Harbor 289A

Dr. Sandra Woodruff - Engineering Consultant
Job: WA Oak Harbor 297A.fmj
Master Database: 2004_Sep_23.fmd
Lat: N48:17:43 Lon: W122:39:31 NAD-27
Scale: 1:480000
Channel: 289 Class: A
Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved
Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6
Range: 11 km, Clearance: -0.5km
Comments: No Comments
Description: CBU vs new 289A at Oak Harbor

rfInvestigator-FM Version 2.1.15
by rfSoftware, Inc.
Date: 9/27/2004 4:11:26 PM
Key:
City Grade
Protected
Co-Channel
1st Adj
2nd/3rd Adj

