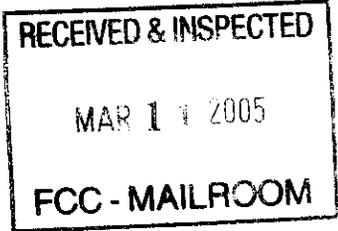


Before the
Federal Communications Commission
Washington, D.C. 20554



In the Matter of)
)
Amendment of 73.202 (b)) MB Docket No.04-348
Table of Allotments) RM-10718, RM-111543,
FM Broadcast Stations) RM-11154
(Cross Plains ET AL., TX))
)
)
(Bertram, TX)) MB-Docket No. 04-407
) RM-11106

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

RESPONSE TO REPLY COMMENTS

In their "Reply Comments to Counterproposals" dated February 17, 2005, Munbilla Broadcasting Properties, Ltd. ("Munbilla") raises serious issues of credibility and lack of candor regarding statements I have made and information I have provided to the Commission in my "Reply Comments of Charles Crawford" dated November 8, 2004 and my "Response of Charles Crawford to Reply "Comments of "Munbilla Broadcasting Properties, LTD."" dated November 11, 2004.

Munbilla questions the credibility of a two page fax from Ms Sue Timmons, County Judge Administrative Assistant which provided the boundaries of Cherokee indicated with dashed lines. I stand by that fax as completely true and

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1

correct as provided to us by Ms Sue Timmons. (See, Exhibit A) This two page fax was included in two exhibits, Exhibit A in my November 8, 2004 filing and as Exhibit B in my November 11, 2004 filing. In both of these exhibits I included a third page which was intended to demonstrate the boundaries as provided by Ms Timmons in her two page fax to the mapping program which I used to provide the 70 dBu coverage of Channel 285A at the coordinates proposed in my original petition. This is further clarified in the very next exhibit to my November 8, 2004 filing, Exhibit B. In this exhibit I provide the estimated city boundaries as provided by Ms Timmons in her two page fax on to my DeLorme mapping program along with the 70 dBu coverage of Channel 285A at the coordinates proposed in the original petition. As Exhibit B states, "70 dBu coverage map of Channel 285A at Cherokee, Texas at the proposed Petition for Rule Making reference coordinates".

Katherine Pyeatt originally contacted Ms Timmons and Identified herself and that she was doing research on Cherokee, Texas and although Cherokee was an unincorporated community did the County of San Saba consider Cherokee to have boundaries. In response to that inquiry, Ms Timmons provided her with the two page fax which included the

dashed lines indicating what the County of San Saba considered as the Cherokee boundaries. Ms Pyeatt contacted Ms Timmons today to reconfirm with her the two page fax. Ms Timmons confirmed sending the map. She further said that an attorney had called and asked her if it was true if she had provided a map with boundaries. She said she told him that she had provided the boundaries but that since Cherokee was unincorporated those boundaries were not official. Ms Timmons went on to say that the attorney that called pressed the issue to the point of her having to involve her city attorney. Additionally, Ms Timmons said today that the Cherokee Postmaster considers the city boundaries of Cherokee to be from County Rd 409 which has been renamed unofficially Indian Avenue and ends at Apache Loop, also called unofficially Indian Avenue.

At #12, page 5 of Munbilla's "Reply Comments to Counterproposal" they say,

"The cover sheet bears a fax header with a date and time stamp of November 4, 2004, 3:06 PM, an "HP Laserjet 3200" machine-identification stamp, and a page stamp of "p.1" The telephone number of the receiving fax machine and the recipient's identity have been redacted."

We did not redact the receiving fax machine and the recipient's identity. The receiving fax for the November 4, 2004 two page fax from Ms Timmons was my Xerox Work

Centre Pro 635 and it does not produce a receiving fax machine and recipient's identity. I will be more than willing to produce a large number of faxes received from November 2004 to present to establish that point. However, I really don't get where Munbilla is going with this. Why would I want to conceal the receiving fax machine and recipient's identity. It is apparent from my pleadings that it is my fax. (See, Exhibit B)

At #16, page 7 of Munbilla's "Reply Comments to Counterproposal" Munbilla calls for a full investigation by the Enforcement Bureau. I welcome such an investigation and would assume that the Enforcement Bureau would also investigate the activities of counsel for Munbilla, Mr. McVeigh, in this proceeding.

At #17, page 8, Munbilla says,

"It is also abundantly clear from Mr. Williams statements, and from the materials that Mr. Crawford himself has supplied, that many of the businesses and other facilities that Mr. Crawford claims are in Cherokee are in fact elsewhere."

However, Munbilla does not identify specifically the businesses and other facilities which they say I have incorrectly attributed to Cherokee. Both my November 8th pleading and my November 12th pleading are full of footnotes with telephone numbers and names to verify the information provided. My November 8th pleading incorporates 21 pictures

of various aspects of Cherokee. My pleadings have included specific names, titles and telephone numbers of all aspects of community life in Cherokee, Texas, non of which has Munbilla disputed. Munbilla credibility certainly could be questioned with their statement at page 10, #18 of their Reply Comments dated November 6, 2004, when they say,

"There is no local fire department in Cherokee."

The real facts are as I stated in my "Response of Charles Crawford to Reply Comments of "Munbilla Broadcasting Properties, LTD."" at page 4,

Not only does Cherokee have its own local volunteer fire department,¹ they have a Ladies Auxiliary Volunteer Fire Department² that began in 1986. Additionally, the Cherokee Volunteer Fire Department just held its "20th Annual fundraiser" with raffle ticket prizes provided by The "Cherokee Ladies Annual Auction Quilting Club"³ and the Cherokee Grocery Store"

I standby all of my pleadings in this proceeding. It certainly was not my intention to present my DeLorme mapping program as something provided by the County of San Saba. However, I believe that upon review, it is clear that I may be accused of a poor presentation but certainly not intentional misrepresentation of facts or lack of

¹ Chris Perry, Chief of the Cherokee Volunteer Fire Department. (325) 622-4681. James Lowe, member of the Cherokee Volunteer Fire Department.

² Earlene Meerschaert, acting member of the Cherokee Ladies Auxiliary Volunteer Fire Department. (325) 622-4560.

³ Carolyn Perry, acting member of the Cherokee Ladies Annual Auction Quilting Club. (325) 622-4238.

candor.

Cherokee Texas is a community that has the characteristics that the Commission equates with community status for allotment purposes and is deserving of an FM allotment. And although Cherokee is admittedly a small town, it is clearly an "identifiable population grouping".

Finally, should the Commission grant the Cross Plains, Texas petition and allot Channel 294A to Cross Plains, Petitioner will apply for Channel 294A at Cross Plains and after it is authorized, will promptly construct the new facility. Additionally, if the petitions to add Channel 285A at Cherokee, Texas and or Channel 284A at Bertram, Texas are granted by the Commission, Petitioner will apply for Channel 285A at Cherokee and or 284A at Bertram and after they are authorized, will promptly construct each of these new facilities.

The factual information provided in this Response to Reply Comments is correct and true to the best of my knowledge.

Respectfully submitted,



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

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.

March 10, 2005

CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 9th day of March, 2005, I caused copies of the foregoing "Response to Reply Comments" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Rolanda F. Smith
Federal Communications Commission
Media Bureau-Audio Services Division
445 Twelfth Street, S.W.
12th Street, S.W., Room 3-A224
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)

John J. McVeigh, Esq.
12101 Blue Paper Trail
Columbia, Maryland 21044-2787
(Counsel for Munbilla Broadcasting)



Charles Crawford

Exhibit A

(Declaration of Ms Katherine Pyeatt)

DECLARATION

I, Katherine Pyeatt, under penalty of perjury, hereby state and declare the following:

1. During the months of October and November of 2004, I assisted Charles Crawford in researching the community of Cherokee, Texas.

2. On November 4, 2004, I called Ms Sue Timmons, County Judge Administrative Assistant. I gave Ms Timmons my name and told her I was researching the community of Cherokee, Texas. I ask her if the County of San Saba considered Cherokee, Texas to have city boundaries even though it was an unincorporated community. She said they did and faxed me the two page fax which included a map of Cherokee with the boundaries indicated by dashed lines.

3 On March 10, 2005, I called Ms Sue Timmons again and ask if she remembered faxing the map to me last November. She said she did and a great deal of trouble was created by her faxing that map. She said that since Cherokee is an unincorporated community there are no official boundaries. However, for the County of San Saba's general purposes they consider the boundaries to be that which the Cherokee Postmaster considers the city boundaries which are from County Rd 409 which has been renamed unofficially Indian Avenue and ends at Apache Loop, also called unofficially Indian Avenue.

The above statements of fact are true and correct to the best of my own personal knowledge and belief.

Signed and dated this 10st day of March, 2005.


Katherine Pyeatt

Exhibit B

(Declaration of Charles Crawford)

DECLARATION

I, Charles Crawford, under penalty of perjury, hereby state and declare the following:

1. Attached is an accurate copy of the original two page fax received from Ms. Sue Timmons on November 4, 2004.

2. This copy of the original fax is correct and true in every way, including the fax header and the dashed outlines indicating the city boundaries of Cherokee, Texas.

The above statements of fact are true and correct to the best of my own personal knowledge and belief.

Signed and dated this 10th day of March, 2005.



Charles Crawford

BYRON THEODOOSIS
COUNTY JUDGE

KIM WELLS
DISTRICT AND COUNTY CLERK

ROGER CROCKETT
COMMISSIONER PRECINCT 1

RICKEY LUSTY
COMMISSIONER PRECINCT 2

WAYLAND FERRY
COMMISSIONER PRECINCT 3

ROGER McGEHEE
COMMISSIONER PRECINCT 4

JOHN L. WELLS
SHERIFF, TAX ASSESSOR-COLLECTOR

DAVID M. WILLIAMS
COUNTY ATTORNEY



COUNTY OF SAN SABA
SAN SABA, TEXAS 76877

GAYLA HAWKINS
COUNTY TREASURER

NEAL ALEXANDER
COUNTY AGENT

CAROLYN McOWELL
FAMILY & CONSUMER SCIENCE

LEBLIE DAWSON
JUSTICE OF THE PEACE

GUILFORD L. JONES III
DISTRICT JUDGE

SAM OATMAN
DISTRICT ATTORNEY

FRED HARDY
VETERANS SERVICE OFFICER

FAX COVER SHEET

DATE: 11-4-04

TIME: 2:00 P.M.

SENT BY: Sup - County Admin. Asst.

No. of pages including cover sheet: 2

TRANSMITTING TO: _____

ATTENTION: _____ FAX NO.: _____

COMMENTS: _____

THIS FAX IS PRIORITY CORRESPONDENCE - PLEASE NOTIFY INTENDED RECIPIENT IMMEDIATELY.

TELEPHONE: 325-372-3635
FAX: 325-372-6484

EMAIL ADDRESS:
adminasst@sansabacounty.org
judge@sansabacounty.org

COUNTY COURTHOUSE
500 EAST WALLACE

