



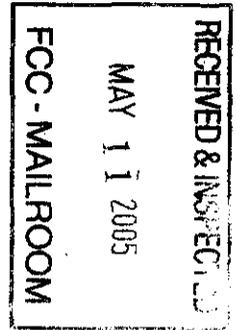
Federal Communications Commission
Washington, D.C. 20554

Imaging Center
CY C203

May 6, 2005

Dan J. Alpert, Esq.
2120 N. 21st Road
Arlington, Virginia 22201

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Dear Mr. Alpert:

This is in response to the petition for rule making you filed on March 29, 2005 on behalf of KERM, Inc., licensee of Station KURM-FM, Channel 262A, Southwest City, Missouri. That petition requests the reallocation of Channel 262A from Southwest City to Gravette, Arkansas and the modification of Station KURM-FM's license to reflect the new community. The petition for rulemaking proposes to use the Station KURM-FM license site, with coordinates, but the petition includes no other engineering information.

We are returning your petition for rulemaking. The petition did not provide a technical showing including a channel study for the site you specify to demonstrate that this proposal would comply with the minimum distance separation requirements of Section 73.207 of the Commission's Rules. Further, it makes no showing that Station KURM-FM would place a city grade signal over the entire community of Gravette as required by Section 73.315(a) of the Commission's Rules.

Based on the reasons stated above, we are returning this petition for rule making. You may re-file this petition, provided the proposal meets all the requirements stated above.

Sincerely,

John A. Karousos
Assistant Chief
Audio Division
Media Bureau

Enclosure