

DOCKET FILE COPY ORIGINAL

Before the
Federal Communications Commission
Washington, D.C.

RECEIVED & INSPECTED
SEP 23 2005
FCC - MAILROOM

In the Matter of)	
)	
Amendment of Section 73.202(b))	
FM Table of Allotments,)	MB Docket No. 05-230
FM Broadcast Stations.)	RM-11032
(Auxvasse, Missouri))	

**COMMENTS AND/OR REPLY COMMENTS
OF WILLIAM WOODS UNIVERSITY
AND REQUEST TO DENY PETITION FOR RULE MAKING
FILED BY CHARLES CRAWFORD**

COMES NOW William Woods University and files these Comments and/or Reply Comments, and also this Request to Deny the Petition for Rule Making filed by Charles Crawford.

William Woods University (hereafter the "University") is a private, co-educational university located in Fulton, Missouri. The University has a long history of providing outstanding higher education to undergraduate and graduate students at its campus in Fulton. The mission of the University is to distinguish itself as an independent voice in higher education, with a student-centered and professions-oriented approach emphasizing ethics, self-liberation and life-long learning. The University has an enrollment of approximately 2,700 students, including adult and graduate education programs.

On December 6, 2001, the Federal Communications Commission ("FCC") reserved the call sign KWWU-LP for the University under station number 20010116AEQ. A copy of the Postcard Reservation Acknowledgement received by the University on December 10, 2001, is attached as **Exhibit A**.

The University has been operating KWWU-LP at 94.9 MHz in Fulton, Missouri since approximately 2003. The University operates the station as part of its educational mission for its students within the Visual and Communication Arts program.

The University has just learned that Mr. Charles Crawford of Dallas, Texas, has filed a Petition for Rule Making that will materially affect the ability of the University to operate KWWU-LP. On or about September 15, 2005, the University first became aware of the above captioned Notice of Proposed Rule Making filed by the FCC. Thereafter, the University commenced an investigation and learned of Mr. Crawford's Petition for Rule Making. Prior to that time, the University had not been served with a copy of the

No. of Copies rec'd 0 + 4
List ABCDE

Petition for Rule Making filed by Charles Crawford, or any other documents relating to the Proposed Rule Making now under consideration by the FCC.

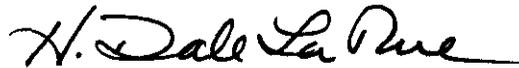
Documents just received by the University indicate that Mr. Crawford seeks to create a radio station in Auxvasse, Missouri, less than 20 miles from Fulton, Missouri. It also appears that the proposed new station, which will also be operating at 94.9 MHz, will encroach on and displace the University's radio signal. The University therefore urgently requests that the FCC investigate the effect of the proposed station on the operations of KWWU-LP, and deny Mr. Crawford's Petition to the extent that the proposed station encroaches on the University's signal and broadcasts.

Attached as **Exhibit B** is a further description of the purpose and functions of KWWU-LP. Attached as **Exhibit C** is the information just received by the University indicating that Mr. Crawford's proposed new station will encroach upon and displace the University's signal and broadcasts.

For the reasons set forth herein, the University respectfully requests that the Petition for Rule Making be denied and that the University's operation of KWWU-LP be permitted to continue without encroachment or interference.

Respectfully submitted,

WILLIAM WOODS UNIVERSITY



By: H. Dale LaRue
Treasurer
One University Avenue
Fulton, MO 65251
(573) 592-4216

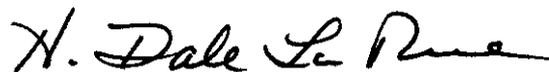
Dated: September 20, 2005

Cc: Charles Crawford
4553 Bordeaux Ave.
Dallas, TX 75205
Fax: (214) 443-9308

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of September, 2005, a true and correct copy of the foregoing Comments and/or Reply Comments of William Woods University and Request to Deny Petition for Rule Making Filed by Charles Crawford (MB Docket No. 05-230; RM-11032) was served via commercial overnight courier upon the following:

Charles Crawford
4553 Bordeaux Ave.
Dallas, TX 75205



H. Dale LaRue

FIRST CLASS MAIL
POSTAGE & FEES PAID
FEDERAL
COMMUNICATIONS
COMMISSION
PERMIT NO. G111

FEDERAL COMMUNICATIONS
COMMISSION
WASHINGTON, DC 20554

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

DEC 10 2001

PRESIDENTS
OFFICE

W. J. Barnett
12/10/01

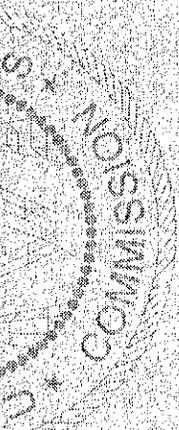
JAHNAE BARNETT
WILLIAM WOODS UNIVERSITY
ONE UNIVERSITY AVENUE
FULTON MO 65251-1098

Fcc 972 (02/00) NOTIFICATION

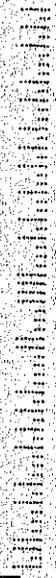
Postcard Reservation Acknowledgement

Date: 12/06/2001
Call Sign Request #26602

This is to acknowledge the
RESERVATION of call sign KWWU-LP for
Station: 20010116AEQ
Location: FULTON MO
Facility Id: 131522
that was made on 12/05/2001 by
JAHNAE BARNETT
WILLIAM WOODS UNIVERSITY
ONE UNIVERSITY AVENUE
FULTON MO 65251-1098



65251-1098 10



A woman stands in front of the 14 member board of a private college and makes a plea for adding a Physics major. In another state, a man gives a presentation to his company on the average costs and expenditures for the year. Somewhere else, a woman makes her living going door to door selling candles. What do these three people have in common? They all took radio broadcasting and management courses in college.

The primary function of KWWU-LP, located on William Woods University in Fulton, MO, is as a training ground for students interested in all aspects of broadcasting and careers related to radio broadcast (such as promotions, news, sales, etc.). KWWU-LP is a student-operated, educational non-commercial radio station, licensed to and owned by William Woods University. KWWU-LP broadcasts 24 hours a day, 7 days a week, and provides a music programming service to William Woods University, Westminster College, and the Fulton/Kingdom City area. All types of music are offered on a limited basis through student-produced specialty shows. In addition to being a music-intensive radio station, KWWU-LP informs its listeners of events taking place both on and off campus along with local and national news and sports.

The radio station at William Woods University affects all areas of academic and social life. Not only is it important for those who wish to go into broadcasting, it is important, even essential, for the campus at large. It provides a link between students across campus; it prepares students for their future careers; and it adds credibility to the broadcasting program.

KWWU-LP is one of William Woods University's most effective lines of communication; it reaches the students where other attempts, such as mass emails and posters, fail. Perhaps more importantly, it draws students together, adding to campus morale and getting students involved in the life going on around them. For example, the radio station sponsored a Music Fest in the spring of 2005, giving the local bands an opportunity to perform and the community a chance to gather and enjoy music together. William Woods University would not have the cohesive feel that it does without the radio station.

The radio station does more than create a community; however, it prepares students in the broadcasting and management classes for their future careers in broadcasting and/or their chosen field of education. Broadcasting teaches students to use their skills of persuasion, affability, and public speaking by means of reaching out to broader audiences. These skills are imperative to almost every job, and indeed to day-to-day functioning. Job interviews, marital discussions, conferences, and presentations are but a few examples in which good communication skills, confidence, and quick thinking are invaluable.

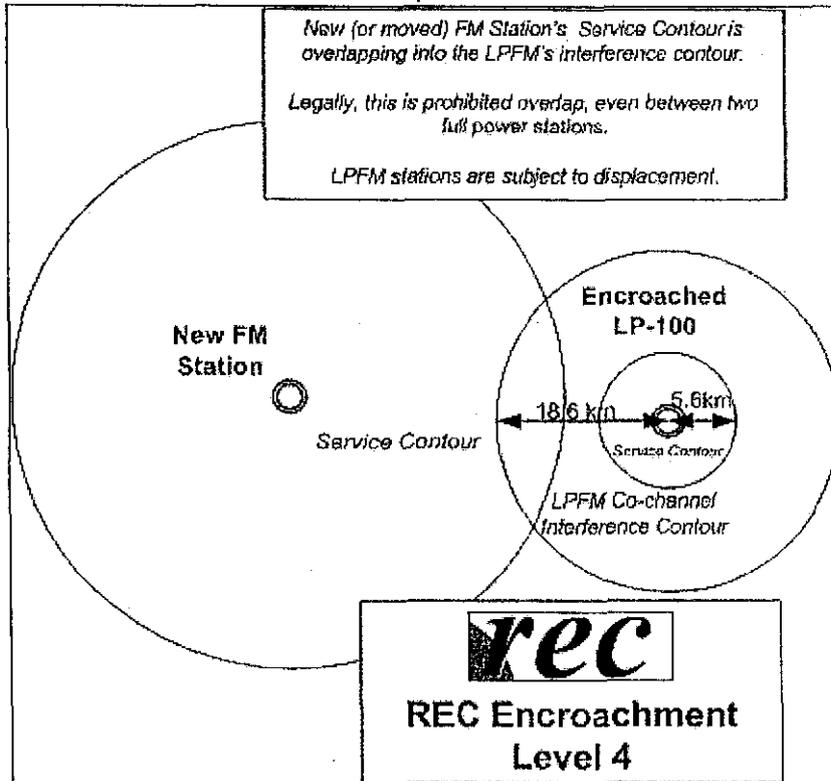
The radio station also teaches responsibility. Each new student has a mentor. Their mentor teaches them about the station. The entire operation is as student-orientated as possible, giving students optimal potential to develop a sense of responsibility and leadership. As a student-run/student-oriented operation, the students are responsible for the creation of quality programming that serves the public interest, convenience, and necessity.

The benefits that the radio station brings to the communication major and the broadcasting program are intrinsic. Without a radio station, William Woods University could teach *about* broadcasting but could not give students any hands-on experience. KWWU-LP grooms students for their future by giving them the opportunity to practice what they learn. Moreover, the station provides opportunities for audience feedback which is more real to students than anything their teachers can tell them. An added benefit of KWWU-LP concerns the environment provided for students enrolled in the courses that feature radio broadcasting and audio production. The station mirrors as accurately as possible the actual equipment and resources found in larger professional audio environments. As a result, students that are trained to use the equipment in KWWU-LP are familiar with equipment presented to them in professional environments. Finally, the radio station is a recruiting tool for future students of William Woods University. One broadcasting student said "That's the reason I came here: it offered what I wanted."

In the two years the radio station has been up, the Communications Major has been made more credible and more accessible to the students. It is the fourth largest major on campus and serves approximately 30% of our students each semester. Without the radio station, these students would be left learning solely out of a textbook or not at all. The listening community, 32% of the Fulton/Kingdom City population, would be crippled by a lack of communication and social interaction. And most critically, the students would be left without an important opportunity to develop life skills.

RED ENCROACHMENT

Also referred to in the past as a "Level 4" encroachment. In this case, the LPFM's interference contour and the FPFM's service contours overlap. This is a serious cause for concern as it is very possible that legal interference may be taking place. Stations with a Red Encroachment should do further study to determine their exact situation and be prepared for possible displacement when the FPFM station commences operations at the new site or at the new class.

MAJOR ENCROACHMENT and
CITY GRADE ENCROACHMENT

In a Major Encroachment, the LPFM and FPFM service contours overlap. In a City Grade Encroachment, the LPFM service contour overlaps the FPFM's City Grade Contour. This is definitely interference and LPFM stations should be prepared for displacement. The LPFM station is extremely close to the full power station.

IGLESIA CRISTIANA HISPANO-AMERICANA

KRLK 299C3 1st ORG 54.1 STOCKTON MO
KEZA 300C CoC YEL 148.8 FAYETTEVILLE AR

FAC: 132088 CALL: NEW CHAN: 300 CMTY: CARTHAGE MO
CARTHAGE CRISIS CENTER, INC.

KRLK 299C3 1st ORG 54.4 STOCKTON MO
KEZA 300C CoC YEL 148.9 FAYETTEVILLE AR

FAC: 132419 CALL: NEW CHAN: 300 CMTY: CARTHAGE MO
RESTORATION OUTREACH CHURCH

KRLK 299C3 1st ORG 54.2 STOCKTON MO
KEZA 300C CoC YEL 149.2 FAYETTEVILLE AR

FAC: 132448 CALL: KSDC-LP CHAN: 235 CMTY: CENTRALIA MO
SUNNYDALE ADVENTIST ACADEMY

KRXL 233C 2nd ORG 112.2 KIRKSVILLE MO
NEW 235A CoC RED 36.0 AUXVASSE MO

FAC: 132406 CALL: NEW CHAN: 300 CMTY: COLUMBIA MO
FIRST BAPTIST CHURCH

KLTE 300C1 CoC YEL 124.9 KIRKSVILLE MO
KCLQ 300C2 CoC YEL 129.0 LEBANON MO

FAC: 132417 CALL: NEW CHAN: 300 CMTY: COLUMBIA MO
COLUMBIA CHINESE CHRISTIAN CHURCH

KLTE 300C1 CoC YEL 124.9 KIRKSVILLE MO
KCLQ 300C2 CoC YEL 129.0 LEBANON MO

FAC: 131522 CALL: KWWU-LP CHAN: 235 CMTY: FULTON MO
WILLIAM WOODS UNIVERSITY

NEW 235A CoC CGR 12.7 AUXVASSE MO

FAC: 131905 CALL: KRFL-LP CHAN: 248 CMTY: FULTON MO
REVELATION FOR LIVING BROADCASTING, INC.

247C3 1st ORG 66.3 MADISON MO
WBBA-FM 248B1 CoC YEL 129.0 PITTSFIELD IL
WBBA-FM 248B1 CoC YEL 128.3 PITTSFIELD IL
248A CoC RED 40.4 LINN MO
NEW 248A CoC RED 40.4 LINN MO
NEW 248A CoC RED 38.4 LINN MO

FAC: 131710 CALL: KHBL-LP CHAN: 245 CMTY: HANNIBAL MO
HANNIBAL COMMUNITY AND BUSINESS DEVELOPMENT, INC.

FAC: 132124 CALL: NEW CHAN: 300 CMTY: JOPLIN MO
CALVARY CHAPEL OF JOPLIN

KGND 298C1 2nd ORG 91.0 KETCHUM OK
KEZA 300C CoC YEL 133.3 FAYETTEVILLE AR

FAC: 131938 CALL: KZLX-LP CHAN: 294 CMTY: MARYVILLE MO
NORTHWEST FOUNDATION, INC.

FAC: 131980 CALL: NEW CHAN: 265 CMTY: OSAGE BEACH MO
LAKE OF THE OZARKS LATIN CULTURAL ASSOCIATION

265C3 CoC CGR 14.2 LAURIE MO
KTXR 267C 2nd ORG 107.6 SPRINGFIELD MO

FAC: 132156 CALL: KYHO-LP CHAN: 295 CMTY: POPLAR BLUFF MO
VISION BROADCASTING OF POPLAR BLUFF, INC.

WWYN 295C1 CoC YEL 176.1 MCKENZIE TN
NEW 295A CoC YEL 86.7 MARQUAND MO
WWYN 295C1 CoC YEL 176.3 MCKENZIE TN

[recnet](#) | [LPFM](#) | [FCC Filings](#) | [Hardcore](#) | [FM/AM/TV Query](#) | [REC-FM](#) | [Support](#) | [FlyREC](#) | [Site Map](#)

REC NETWORKS

LPFM Channel

9-2-05 - ALL FILES LOADED SUCCESSFULLY - HURRICANE KATRINA INFO AT <http://www.recnet.com/katrina>

LP-100 (except PR & VI) - current rules

Chan: 235L1 | Lat: 38-51'35.9" | Lon: 91-57'03.5" | Move 1 Minute: North South East West

Show LP-10 | Reject Report | Channel Search | Display Plain Text | View in FMMAP | New Search | Change Search Parameters | Home

	Ch.	MHz	Call	City of License	Coordinates	Clas	Status	Dist	Req	RCIC
<input type="checkbox"/>	232	94.3	WRMS-FM	BEARDSTOWN IL US	40-04'44.4" 90-25'58.7"	A	LIC	188.1	29	29
3rd	CONNER FAMILY BROADCASTING INC. (FacID: 13650)									
<input type="checkbox"/>	232	94.3	WMKR	PANA IL US	39-27'07.1" 89-17'09.6"	A	LIC	239.5	29	29
3rd	MILLER COMMUNICATIONS, INC. (FacID: 42646)									
<input type="checkbox"/>	232	94.3	WMKR	PANA IL US	39-22'55.2" 89-12'57.6"	A	RSV	243.5	29	29
3rd	KASKASKIA BROADCASTING, INC.									
<input checked="" type="checkbox"/>	232	94.3	KATI	CALIFORNIA MO US	38-31'26.4" 92-24'25.1"	C2	LIC	54.5	53	53
3rd	ZIMMER RADIO OF MID-MISSOURI, INC. From channel 232A per D91-181 (FacID: 67379)									
<input type="checkbox"/>	233	94.5	KRXL	KIRKSVILLE MO US	40-14'34.7" 92-25'40.7"	C	LIC	158.9	93	93
2nd	KIRX, INC. (FacID: 34973)									
<input type="checkbox"/>	234	94.7		COLUMBIA, NORTH MO US	39-03'43.2" 92-17'38.3"	D3	APP	37.2	21	26
1st	RADIO ASSIST MINISTRY, INC. (FacID: 141930)									
<input type="checkbox"/>	234	94.7	KTTS-FM	SPRINGFIELD MO US	37-10'29.9" 93-02'34.8"	C	LIC	210.2	120	142
1st	JOURNAL BROADCAST CORPORATION (FacID: 62023)									
<input type="checkbox"/>	234	94.7	KSHE	CRESTWOOD MO US	38-34'22.8" 90-19'29.9"	C	LIC	145.0	120	142
1st	EMMIS RADIO LICENSE, LLC (FacID: 19523)									
<input type="checkbox"/>	234	94.7	KSHE	CRESTWOOD MO US	38-34'22.8" 90-19'29.9"	C0	ADD	145.0	111	130
1st	CHARLES CRAWFORD									
<input type="checkbox"/>	234	94.7		COLUMBIA MO US	39-04'01.2" 92-18'43.2"	D7	APP	38.8	28	35
1st	COVENANT NETWORK (FacID: 154020)									
<input checked="" type="checkbox"/>	235	94.9	KWWU-LP	FULTON MO US	38-51'32.4" 91-57'00"	L1	LIC	0.1	24	24
CoCh	WILLIAM WOODS UNIVERSITY (FacID: 131522)									
<input type="checkbox"/>	235	94.9		BOONEVILLE MO US	38-58'01.2" 92-45'03.5"	D5	APP	70.4	32	51
CoCh	COVENANT NETWORK (FacID: 154450)									
<input type="checkbox"/>	235	94.9		DIXON MO US	38-00'00" 92-06'00"	D7	APP	96.3	39	67
CoCh	COVENANT NETWORK (FacID: 153801)									
<input type="checkbox"/>	235	94.9	KCMO-FM	KANSAS CITY MO US	39-05'27.6" 94-28'19.1"	C0	LIC	220.0	122	193
CoCh	SUSQUEHANNA KANSAS CITY PARTNERSHIP (FacID: 6385)									
<input type="checkbox"/>	235	94.9	KSDC-LP	CENTRALIA MO US	39-14'45.6" 92-12'39.6"	L1	CP	48.4	24	24
CoCh	SUNNYDALE ADVENTIST ACADEMY (FacID: 132448)									
<input type="checkbox"/>	235	94.9	KSDC-LP	CENTRALIA MO US	39-14'45.6" 92-12'39.6"	L1	LIC	48.4	24	24
CoCh	SUNNYDALE ADVENTIST ACADEMY (FacID: 132448)									
<input checked="" type="checkbox"/>	235	94.9	NEW	AUXVASSE MO US	38-58'04.7" 91-59'45.5"	A	ADD	12.6	67	92
CoCh	CHARLES CRAWFORD									
<input type="checkbox"/>	236	95.1	KTKS	VERSAILLES MO US	38-24'32.3" 92-45'43.2"	C3	LIC	86.6	67	67
1st	TWIN LAKES COMMUNICATIONS, INC. (FacID: 68605)									
<input type="checkbox"/>	237	95.3	KXMO-FM	OWENSVILLE MO US	38-08'05.9" 91-24'00"	C2	LIC	93.7	53	53
2nd	KDAA-KMOZ, LLC (FacID: 84271)									
<input type="checkbox"/>	237	95.3	KOKX-FM	KEOKUK IA US	40-24'00" 91-35'09.6"	C1	LIC	173.8	73	73
2nd	W. RUSSELL WITHERS, JR. (FacID: 70573)									
<input type="checkbox"/>	237	95.3	KDKD-FM	CLINTON MO US	38-22'19.2" 93-55'04.8"	C3	LIC	179.7	40	40
2nd	LEGEND COMMUNICATIONS OF MISSOURI, LLC (FacID: 12056)									

<input type="checkbox"/>	238	95.5	WFUN-FM	BETHALTO IL US	38-48'39.6" 90-17'38.3"	C3	LIC	144.0	40	40
3rd	RADIO ONE LICENSES, LLC (FacID: <u>4948</u>)									
<input type="checkbox"/>	238	95.5	KTOZ-FM	PLEASANT HOPE MO US	37-13'26.4" 93-14'31.2"	C2	LIC	214.1	53	53
3rd	CLEAR CHANNEL BROADCASTING LICENSES, INC. (FacID: <u>55164</u>)									
<input type="checkbox"/>	238	95.5	KAAN-FM	BETHANY MO US	40-15'21.6" 94-09'21.6"	C2	LIC	244.8	53	53
3rd	KAAN, INC (FacID: <u>31005</u>)									
<input type="checkbox"/>	238	95.5		JEFFERSON CITY MO US	38-01'30" 92-10'40.7"	D4	APP	94.8	14	14
3rd	COVENANT NETWORK (FacID: <u>154050</u>)									

Make Contour Map

Make Contour Map - Check the boxes next to the stations above to draw out their contours on the map. the button here, the map will appear and it is zoomable.

GIS Contours

Download contours as Arc/Info E00 Format GIS File - Makes a file that is readable by the GIS progr www.recnet.com/gis.

Copyright © REC Networks - All Rights Reserved

recnet | [LPM](#) | [FCC Filings](#) | [Hardcore](#) | [FM/AM/TV Query](#) | [REC-FM](#) | [Support](#) | [FlyREC](#) | [Site Map](#)

Broadcast Query - AM/FM/TV/TIS

Specific Station Facility ID: Call Sign: - Include archived records [New Search](#)
Dialscape Coordinates: Lat: Lon: Community: State:
Party/Owner Search for: Party Type

9-2-05 - ALL FILES LOADED SUCCESSFULLY - HURRICANE KATRINA INFO AT <http://www.recnet.com/katrina>

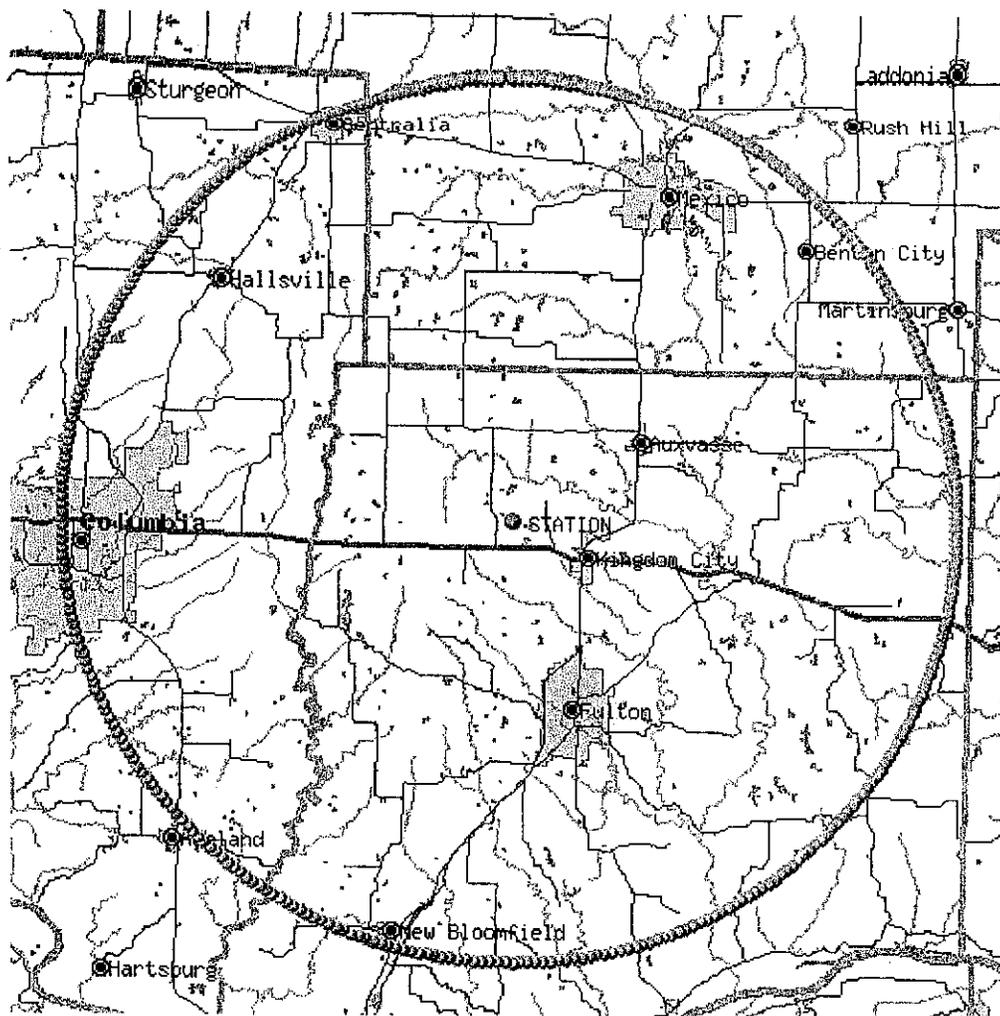
Petition for Rulemaking Details

MB Docket	RM Number	Call	Community of License	Channel/Class	Action	Latitude
05-230	11032	NEW	AUXVASSE MO	235A	ADD	38.968

Petitioner CHARLES CRAWFORD

Other proposed changes related to this docket:

MB Docket	RM Number	Call	Community of License	Channel/Class	Action	Latitude
Proposed By: CHARLES CRAWFORD						
05-230	11032	KSHE	CRESTWOOD MO	<u>234C</u>	DEL	38.573
05-230	11032	KSHE	CRESTWOOD MO	<u>234C0</u>	ADD	38.573



PROPOSED STATION

MB-Docket 05-230

CALL : New

C.O.L. : AUXVASSE, MO

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
FM Table of Allotments,)	MB Docket No. 05-230
FM Broadcast Stations.)	RM-11032
(Auxvasse, Missouri))	
)	
Reclassification of License)	
of Station KSHE(FM), Crestwood, Missouri)	File No. BLH-19870504KB

NOTICE OF PROPOSED RULE MAKING

Adopted: July 13, 2005

Released: July 15, 2005

Comment Date: September 6, 2005

Reply Comment Date: September 20, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a Petition for Rule Making filed by Charles Crawford ("Petitioner") requesting the allotment of Channel 235A at Auxvasse, Missouri, as that community's first local service. This proposal requires the reclassification of Station KSHE(FM), Channel 234C, Crestwood, Missouri to specify operation on Channel 234C0.¹

2. Station KSHE(FM) operates on Channel 234C with an effective radiated power ("ERP") of 100 kilowatts ("kW") at 313 meters height above average terrain ("HAAT"), which is below the minimum Class C antenna height of 451 meters HAAT. As such, Station KSHE(FM) is subject to reclassification as a Class C0 facility pursuant to the reclassification procedures adopted in the Commission's *Second Report and Order*, MM Docket No. 98-93,² Note 2 to Section 1.420(g), and Note 4 to Section 73.3573 of the Commission's rules.

3. Pursuant to the requirements set forth in Section 73.3573, Note 4, we issued an *Order to Show Cause*³ directed to Emmis Radio License, LLC ("Emmis Radio"), licensee of Station KSHE(FM), Crestwood, Missouri, affording it 30 days to express in writing an intention to seek authority to upgrade its technical facilities to preserve Class C status, or to otherwise challenge the proposed action. Emmis Radio filed a response stating that it would file the necessary application to implement minimum Class C facilities for Station KSHE(FM). Thereafter, Emmis Radio filed a Withdrawal of Response to Order to Show Cause, stating that it has decided not to pursue an application for a construction permit to achieve

¹ The distance between the required site for requested Channel 235A at Auxvasse and Station KSHE(FM)'s licensed site at Crestwood is 151.7 kilometers. A minimum distance separation of 165 kilometers is required in this instance. However, if Station KSHE(FM) is reclassified to operate as a Class C0 facility, the short spacing issue will be eliminated.

² 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).

³ See *Reclassification of License of Station KSHE(FM), Crestwood, Missouri*, 19 FCC Rcd 15409 (MB 2004).

minimum Class C facilities. Therefore, in accordance with the Commission's reclassification procedures noted above, the license for Station KSHE(FM) will be reclassified in the context of this proceeding to specify operation on Channel 234C0 instead of Channel 234C at Crestwood.

4. Petitioner states that Auxvasse is an incorporated community with a 2000 U.S. Census population of 901 persons. Auxvasse has its own city hall, elementary school, volunteer fire department, police department, post office, and a number of local churches.

5. We find that the proposal warrants consideration because it could provide a first local service to the community of Auxvasse. A staff engineering analysis has determined that the reclassification of Station KSHE(FM) to specify operation on Channel 234C0 at Crestwood, Missouri will eliminate any short spacing to requested Channel 235A at Auxvasse, using Petitioner's requested site 10.3 kilometers (6.4 miles) southwest at reference coordinates 38-58-04 NL and 91-59-47 WL.

6. Accordingly, we seek comment on the proposed amendment to the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, with respect to the communities listed below, as follows:

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Auxvasse, Missouri	-----		235A
Crestwood, Missouri	234C		234C0

7. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached *Appendix* and are incorporated by reference herein. In particular, we note that a showing of continuing interest is required by paragraph 2 of the *Appendix* before a channel will be allotted. Pursuant to Sections 1.415 and 1.419 of the Commission's Rules, interested parties may file comments or counterproposals on or before September 6, 2005, and reply comments on or before September 20, 2005, and are advised to read the *Appendix* for the proper procedures. Comments should be filed with the Federal Communications Commission, Office of the Secretary, 445 Twelfth Street, SW, TW-A325, Washington, D.C. 20554. Counterproposal filed in this proceeding need only protect Station KSHE(FM), Crestwood, Missouri, as a Class C0 allotment. Additionally, a copy of such comments should be served on Petitioners' counsel, as follows:

Charles Crawford
4553 Bordeaux Avenue
Dallas, Texas 75205

8. Parties must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail or Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All filings must be addressed to Marlene H. Dortch, Secretary, Federal Communications

Commission, Office of the Secretary. Any filing that is not addressed to the Office of the Secretary will be treated as filed on the day it is received in the Office of the Secretary. See 47 C.F.R. § 1.7. Accordingly, failure to follow the specified requirements may result in the treatment of a filing as untimely.

9. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to a rule making proceeding to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules.⁴ This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

10. For further information concerning a proceeding listed above, contact Rolanda F. Smith, Media Bureau (202) 418-2180. For purposes of this restricted notice and comment rule making proceeding, members of the public are advised that no *ex parte* presentations are permitted from the time the Commission adopts a Notice of Proposed Rule Making until the proceeding has been decided and such decision in the applicable docket is no longer subject to reconsideration by the Commission or review by any court. An *ex parte* presentation is not prohibited if specifically requested by the Commission or staff for the clarification or adduction of evidence or resolution of issues in the proceeding. However, any new written information elicited from such a request or any summary of any new information shall be served by the person making the presentation upon the other parties to the proceeding in particular docket unless the Commission specifically waives this service requirement. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment, to which the reply is directed, constitutes an *ex parte* presentation and shall not be considered in the proceeding.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau

Attachment: Appendix

⁴ See *Certification that Section 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*. 46 FR 11549 (February 9, 1981).

APPENDIX

1. Pursuant to authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r), and 307(b), and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS PROPOSED TO AMEND the FM Table of Allotments, 47 C.F.R. Section 73.202(b), as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. Showings Required. Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed allotment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is allotted and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. Cut-off protection. The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (*See* 47 C.F.R. Section 1.420(d).)

(b) With respect to petitions for rule making which conflict with the proposals in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to allot a different channel than was requested for any of the communities involved.

4. Comments and Reply Comments: Service. Pursuant to applicable procedures set out in 47 C. F.R. Sections 1.415 and 1.420, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or by persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (*See* 47 C.F.R. Section 1.420(a), (b) and (c).) Comments should be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., TW-A325, Washington, D.C. 20554.

5. Number of Copies. In accordance with the provisions of 47 C.F.R. Section 1.420, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. Public Inspection of Filings. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Reference Information Center (Room CY-A257) at its headquarters, 445 12th Street, S.W, Washington, D.C.

[recnet](#) | [LPFM](#) | [FCC Filings](#) | [Hardcore](#) | [FM/AM/TV Query](#) | [REC-FM](#) | [Support](#) | [FlyREC](#) | [Site Map](#)

REC NETWORKS

LPFM Channel

9-2-05 - ALL FILES LOADED SUCCESSFULLY - HURRICANE KATRINA INFO AT <http://www.recnet.com/katrina>

LP-100 (except PR & VI) - current rules

Lat: 38-51'32.4" Lon: 91-57'00" | **Move 1 Minute:** North South East West

[Show LP-10](#) | [Reject Report](#) | [View in FMMAP](#) | [New Search](#) | [Change Search Parameters](#) | [Home](#)

Yes!

The following channels may be available:

99.7 Ch. **259** [View](#) [Report](#)

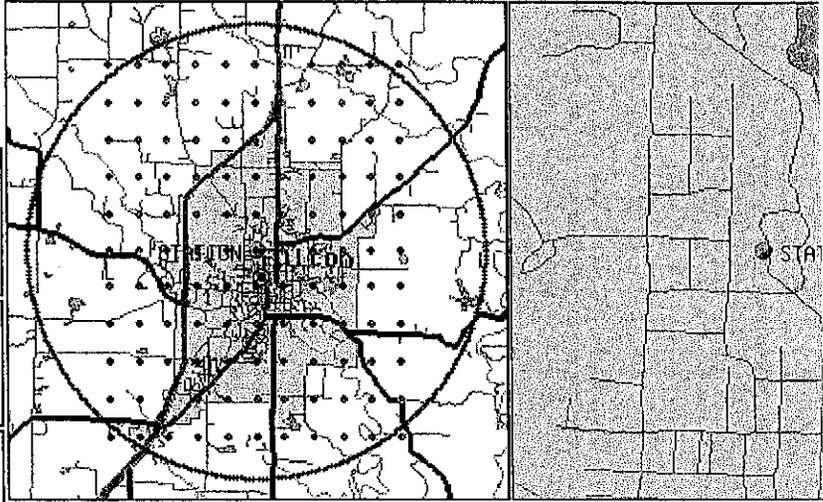
May receive interference from:
NEW STURGEON MO
KTTR-FM ST. JAMES MO

105.1 Ch. **286** [View](#) [Report](#)

May receive interference from:
WGEM-FM QUINCY IL

107.9 Ch. **300** [View](#) [Report](#)

May receive interference from:
KCLQ LEBANON MO
KLTE KIRKSVILLE MO



Census Tract Data	Coverage Area	Population	Living Units
	Service Contour	12928	4524
	Fringe	12928	4524

Click ...more detail for more accurate count, density & information.

Expanded Search

2	2	2	2	3	3	3	3	3	3	4
2	2	2	2	3	3	3	3	3	4	4
2	2	2	2	2	3	3	3	4	4	4
2	2	2	2	2	3	3	4	4	4	4
1	1	1	2	2	4	4	4	4	4	4
1	1	1	1	2		4	4	4	4	4
1	1	1	2	2	2	3	3	3	4	4
1	2	2	2	2	2	3	3	3	3	3
2	2	2	2	2	2	3	3	3	3	3
2	2	2	2	2	2	3	3	3	3	3
2	2	2	2	2	2	2	3	3	3	3

Nearby LPFM Stations

235L1	94.9	KWWU-LP	FULTON MO	WILLIAM WOODS UNIVER
248L1	97.5	KRFL-LP	FULTON MO	REVELATION FOR LIVING BROADC

FM Dialscape

202A	88.3	KJAB-FM	MEXICO MO	MEXICO EDUCATIONAL BRC FOUNDATION
205C2	88.9	KJLU	JEFFERSON CITY MO	LINCOLN UNIVERSITY OF
208C2	89.5	KOPN	COLUMBIA MO	NEW WAVE CORPOR/
212A	90.3	KNLG	NEW BLOOMFIELD MO	NEW LIFE EVANGELISTIC C
217C1	91.3	KBIA	COLUMBIA MO	THE CURATORS OF THE UNIVER
223D6	92.5	NEW	FULTON MO	COMMUNITY BROADCAST
235L1	94.9	KWWU-LP	FULTON MO	WILLIAM WOODS UNIV
239C	95.7	KWWR	MEXICO MO	KXEO RADIO, INI
244C1	96.7	KCMQ	COLUMBIA MO	ZIMMER RADIO OF MID-MIS
248L1	97.5	KRFL-LP	FULTON MO	REVELATION FOR LIVING BROA
252C2	98.3	NEW	COLUMBIA MO	GBO LC
263A	100.5	KKCA	FULTON MO	ZIMMER RADIO OF MID-MIS
268C1	101.5	KPLA	COLUMBIA MO	CUMULUS LICENSING
272C3	102.3	KBXR	COLUMBIA MO	CUMULUS LICENSING
277D4	103.3	NEW	FULTON MO	COVENANT NETWC
291C1	106.1	KOQL	ASHLAND MO	CUMULUS LICENSING
295C	106.9	KTXY	JEFFERSON CITY MO	ZIMMER RADIO OF MID-MIS

Was this information helpful?
Please help support REC's LPFM efforts with your [donation](#). Thank you for using REC's LPFM database services.

PROMETHEUS Radio Project

PO Box 42158 Philadelphia, PA 19101 (215)727-9620
info@prometheusradio.org, www.prometheusradio.org



Dear Low Power FM Station or Applicant,

We have found out that your station is under threat of encroachment! Thank RECNET, your friendly LPFM resource and advocate, for bringing this to our attention. Thank them also for generating the data that made this mailing possible. You can visit their website, www.recnet.com, for lots of useful information, tools and resources for Low Power FM.

RECNET sends out weekly Encroachment Reports detailing the potential levels of encroachment LPFMs could face based on incoming Full Power modification applications to the FCC. Check out their Encroachment Dictionary, which explains the encroachment levels further. You can link to it from our website www.prometheusradio.org/encroachment/encroach_dict.pdf. Depending on your level of encroachment, you have a number of options detailed in the enclosed action letter.

Encroachment occurs when an FM station having primary status moves its transmitting site closer to yours. The level and effects of the encroachment vary depending on how close the move brings them to you. It may mean that you could lose some of your signal coverage, or even be forced to shut down your station. Since Low Power FM is a secondary service in relation to Full Power stations, you have to give way to them in the event they want to move their location closer to yours, or if they want to change their frequency closer to yours. It doesn't matter if you were there first, or if they have the worst programming in the world, and you offer poignant, local programming. They are the 'Big Boys', and the FCC lets them swing their weight around.

We certainly don't think this is fair, and we know you aren't helpless. I hope you are as fired up about this as we are, because we feel that the FCC needs to hear from stations in your situation. On July 7th, the FCC released a Notice of Proposed Rulemaking asking a number of important questions about the future of the Low Power FM (LPFM) radio service. In this document, they consider changing some of the rules dealing with Low Power FM on issues ranging from transferring licenses to extending construction permits to...encroachment. If you are interested in reading the entire Second order on Reconsideration, you can find it on our front page, www.prometheusradio.org.

Your voice and your comments do matter! The FCC reads every comment that they receive, and will take comments into account when deciding on these issues so critical to the future of LPFM. Public reply comments will be accepted on this docket, MM 99-25, until September 21. In the current reply comment period, you may reply to comments filed during the initial public comment period, which ended August 22. Organizations including RECNET, Prometheus and our allies, and National Public Radio and the National Association of Broadcasters have already thrown their two cents in, and you can reply to specific issues or suggestions raised in those comments. Check out our website for more information on filed comments and how to file reply comments. You can file comments, and search for comments already filed, on the FCC's electronic database, <http://www.fcc.gov/cgb/ecfs/>.

We think that the FCC should hear the story of your station. Are you going to lose your entire signal coverage area? Will you have to shut down? What will your town and community lose when your signal goes off the air? Take your time and think about what you want to say to the FCC. We find they don't respond well to angry rants. Think constructive criticism instead; stories from Low Power stations, and how the rules could be changed to facilitate low power service, are most relevant.

Thank you, and good luck with the comments!

Your friends at the Prometheus Radio Project