

RECEIVED

Before the
Federal Communications Commission
Washington, DC 20554

MAY 19 2006

Federal Communications Commission
Office of Secretary

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 06-66
FM Table of Allotments,) RM-11321
FM Broadcast Stations)
(Normangee, Texas))

TO: Marlene Dortch, Secretary, Federal Communications Commission
Attn: Audio Division

COMMENTS AND COUNTERPROPOSAL OF ROY E. HENDERSON

Roy E. Henderson ("Henderson"), the licensee of FM Broadcast Station KLTR, FCC Facility ID No. 57803, Caldwell, Texas, hereby submits the following Comments and Counterproposal in this proceeding.

1. Roy Henderson is the licensee of FM Broadcast Station KLTR, Caldwell, Texas, FCC Facility ID No. 57803. Henderson hereby proposed that, instead of adding Channel 299A to Normangee, Texas, Channel 297C3 be added to the community of Bedias, Texas, and that Channel 267A be moved from Madisonville, Texas to Caldwell, Texas as a replacement for Channel 297A at Caldwell. Furthermore, Henderson respectfully requests that an Order be issued, modifying the license of Station KLTR to operate on Channel 297C3 at Bedias, Texas.

2. The changes to the Table of Allotments, contemplated by Henderson's Counterproposal, may be summarized, schematically, as follows:

<u>Community</u>	<u>Present Channel No.</u>	<u>Proposed Channel No.</u>
Normangee, TX		
Bedias, TX		297C3
Caldwell, TX	297A	267A
Madisonville, TX	261C2, 263C3, 267A	261C2, 263C3

File of Station rec'd 094
LIST ABOVE

3. Channel 267A, which is being proposed as a replacement for Channel 297A at Caldwell, is presently allotted to Madisonville, Texas. It was the subject of a recent FCC auction, Auction No. 62, and Katherine Pyeatt was the winning bidder. Ms. Pyeatt has executed a Declaration, a copy of which is attached and marked Attachment A, indicating that she has no objection to the re-allotment of Channel 267A from Madisonville to Caldwell, and that she will pay the full price that she agreed to pay for the construction permit, regardless of whether it specifies operation at Madisonville or at Caldwell.

4. Also attached and marked Attachment B is an Engineering Statement from Douglas Vernier, demonstrating that the changes in the Table of Allotment, proposed by Henderson and his Counterproposal, can be accomplished in full compliance with all the provisions of the Commission's Rules and Regulations. Henderson hereby pledges that, if Channel 297 is re-allocated from Caldwell to Bedia and upgraded to a class C3 channel, he will promptly file an implementing application and, if that application is granted, he will promptly place the C3 facilities in operation at Bedia, in the public interest.

5. The city of Bedia is a census designated place with its own Post Office, and zip code (77831), which had a 2000 population of 500 persons (2001 Rand McNally Road Atlas), and is located in the northeast part of Grimes County, Texas. The town is named for the Bidai Indians and was first settled in 1835 by Thomas Plaster, for whom it was first named ("Plasterville"). Subsequently, the Bedia Post Office was established in the late 1800's and its first church constructed in 1848. Bedia is a separately listed community in the local telephone directory and presently lists fifteen (15) local

businesses and a total of thirty (30) businesses showing a website in Bédias (see, Attachment C), with its local affairs and interests governed by a committee of the Bédias Civiv Association. Bédias also includes the State Bank of Bédias, a civic center, and a volunteer fire department, along with six (6) churches. As such, the long-established town of Bédias qualifies as a community deserving of a new local radio service, as proposed by Henderson.

6. Since this proposed change in allotment could not be completed without use of the licensee's present assignment, it is submitted that it is consistent with §1.420(i) of the Commission's Rules and Regulations, and should be protected as such. It is therefore requested that, upon approval of the requested re-allotment, the existing license of KLTR be modified to specify operation on the new channel, in the new community, and Henderson states his full commitment to build and operate that new station on Channel 297C3 in Bédias.

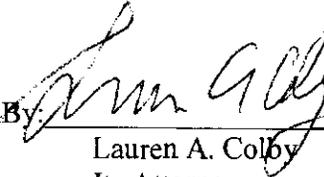
7. To summarize, and in conclusion, Henderson's Counterproposal will provide a first local broadcast service in the community of Bédias, Texas, a community of substantial size. The Counterproposal will not deprive Caldwell of its local broadcast service, since a replacement channel is being provided for Caldwell. Also, while the replacement channel for Caldwell is being taken from Madisonville, there are several other channels assigned to Madisonville, so that community will not lose a priority service, as defined in the FM Assignment Policies and Procedures. *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1988).

May 19, 2006

Law Office of
LAUREN A. COLBY
10 E. Fourth Street
P.O. Box 113
Frederick, MD 21705-0113

Respectfully submitted,

ROY E. HENDERSON

By: 

Lauren A. Colby
Its Attorney

ATTACHMENT A

STATE OF TEXAS)
)
COUNTY OF DALLAS) ss.

DECLARATION

Katherine Pyeatt hereby declares under penalty of the laws of perjury that the following is true and correct:

1. I was the winning bidder at FCC Auction No. 62 for a construction permit for a new FM broadcast station to operate on Channel 267 at Madisonville, Texas, FCC Facility ID No. 166036.

2. I understand that Roy E. Henderson is filing a counterproposal in which he proposes to change the location of the Madisonville station from Madisonville, Texas to Caldwell, Texas. I have no objection to this change. I fully intend to purchase the construction permit and pay the same price that I agreed to pay for the permit, regardless of whether the permit specifies operation at Madisonville or Caldwell.

Further declarant sayeth not.

KATHERINE PYEATT

Dated: May 18, 2006

By: Katherine Pyeatt

ATTACHMENT B



Telecommunications Consultants
May 17, 2006

We have been asked by Roy E. Henderson to prepare the following engineering statement with regard to his counterproposal to move the city of license of KLTR, Caldwell, Texas to Bedias, Texas.

Attachment #1 of this statement is a minimum separations, single channel, study with center coordinates at Bedias, Texas. This study shows that the Henderson channel 297C3 counterproposal at Bedias continues to meet all of the Commission's minimum separations requirements.

Bedias Reference NAD 27 coordinates: N. Lat. 30 46 32
W. Lng. 95 56 57

To accommodate this change, Roy E. Henderson proposes that the Madisonville, Texas facility be moved to Caldwell, Texas to continue to provide Caldwell with a local service. Attachment #2 is a minimum spacings map that shows that channel 267A can serve Caldwell when it is site restricted 9.12 kilometers to the northwest from the center of the city. As is depicted on the map, the 16 kilometer, class A, 70 dBu allocation circle completely encompasses Caldwell. Attachment #3 is a distance to contour table that shows pertinent information of all stations having a frequency and distance relationship with channel 267. It should be noted that the Rosebud proposal for channel 267A has now been withdrawn.

Channel 267 Caldwell NAD 27 Reference coordinates:
N. Lat: 30 35 54
W. Lng: 96 44 51

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Bedias,		297C3
Madisonville,	241C2, 263C3, 267A	241C2, 263C3
Caldwell	297C3	267A

Attachment #4 is a statement of my qualifications.

Doug Vernier

Doug Vernier, Telecommunications Consultants
 721 W. First St., Suite A, Cedar Falls, IA 50613
 Roy E. Henderson, KLTR moved to Bedias, TX as C3
 Center City Coordinates Used

Attachment #1

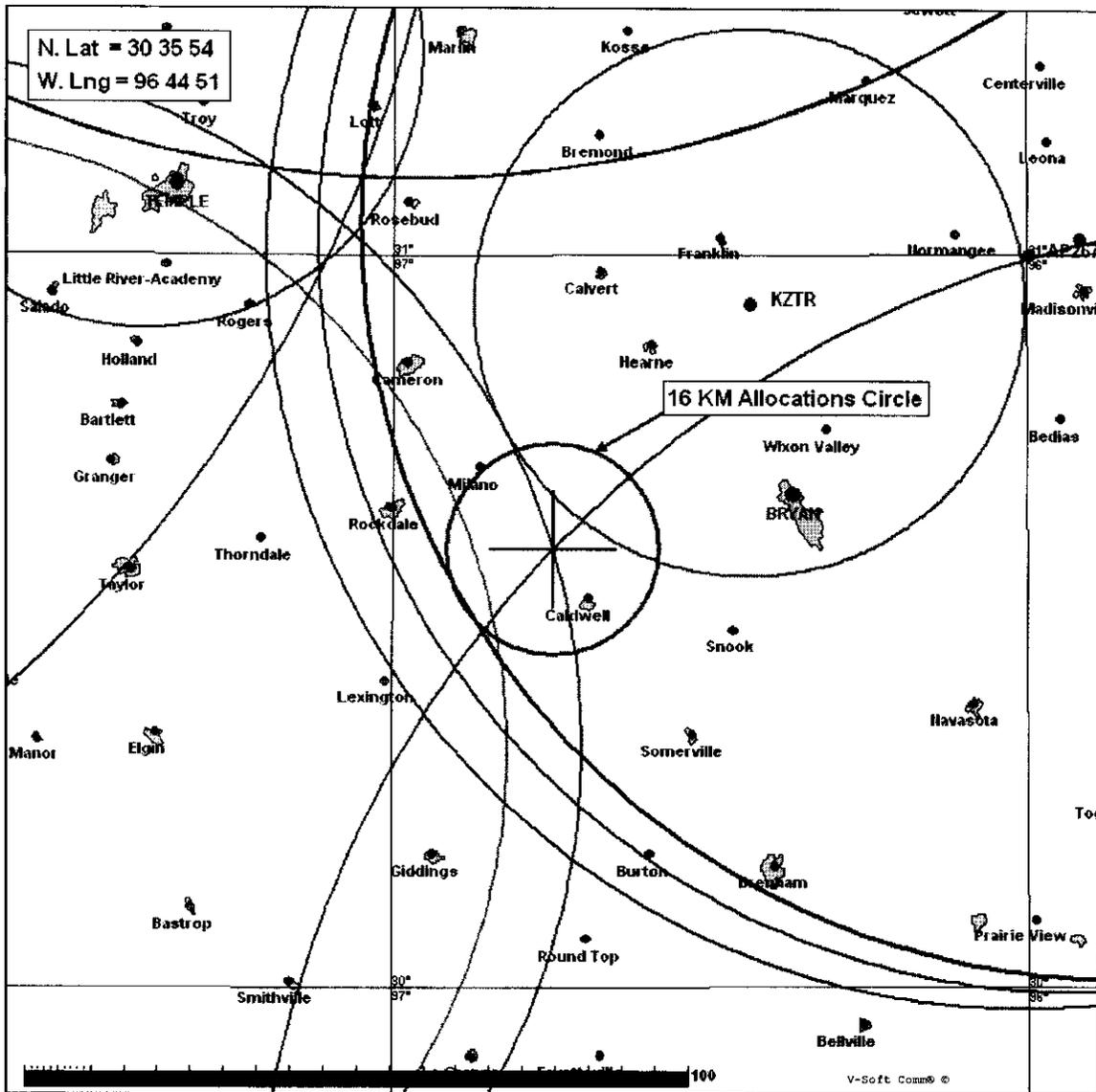
REFERENCE
 30 46 32 N. CLASS = C3
 95 56 57 W. Current Spacings
 ----- Channel 297 - 107.3 MHz -----
 DISPLAY DATES
 DATA 04-18-06
 SEARCH 05-17-06

Call	Channel	Location	Azi	Dist	FCC	Margin	
Lat.	Lng.	Ant	Power	HAAT			
RADD	ADD 297C3	Bedias	TX	0.0	0.00	152.5	-152.50
30 46 32	95 56 57		25.000 kW	100 M			
Roy E. Henderson							
Counterproposal							
KLTR	RSV 297C3	Caldwell	TX	251.0	56.38	152.5	-96.12
30 36 35	96 30 20		25.000 kW	100 M			
Roy E. Henderson							
AL297	RSV 297A	Caldwell	TX	248.4	65.11	141.5	-76.39
30 33 31	96 34 50	N	6.000 kW	100 M			
RM7419							
KLTR	LIC 297A	Caldwell	TX	248.4	65.11	141.5	-76.39
30 33 31	96 34 50	C	6.000 kW	100 M			
Roy E. Henderson							
RDEL	DEL 297A	Caldwell	TX	248.4	65.11	141.5	-76.39
30 33 31	96 34 50		6.000 kW	100 M			
Roy E. Henderson							
Counterproposal							
RADD	ADD 299A	Normangee	TX	307.2	29.05	41.5	-12.45
30 56 00	96 11 30		6.000 kW	100 M			
Charles Crawford							
KLDE	LIC 298C	Lake Jackson	TX	157.2	178.86	175.5	3.36
29 17 16	95 13 53	C	98.000 kW	601 M			
Cxr Holdings, L.l.c.							
BMLH20040903ABA							
KHPT	LIC 295C	Conroe	TX	127.2	99.57	95.5	4.07
30 13 53	95 07 26	C	100.000 kW	579 M			
Cxr Holdings, L.l.c.							
BMLH20060208ALZ							
KISX	LIC 297C2	Whitehouse	TX	22.7	182.26	176.5	5.76
32 17 19	95 11 56	CN	50.000 kW	148 M			
Capstar Tx Limited Partner							
BLH19890308KA							
RDEL	DEL 297A	Nolanville	TX	283.2	159.88	141.5	18.38
31 05 38	97 34 51		6.000 kW	100 M			
Capstar, Clear Channel, Ra							
RDEL	DEL 297A	Nolanville	TX	283.2	159.88	141.5	18.38
31 05 38	97 34 51		6.000 kW	100 M			
First Broadcasting Company							
KLFX	LIC-N 297A	Nolanville	TX	282.9	161.44	141.5	19.94
31 05 23	97 35 55	NCN	1.950 kW-N	160 M			
Clear Channel Broadcasting							
BLH19941117KC							
KJAS	LIC-N 297C3	Jasper	TX	82.7	188.65	152.5	36.15
30 58 31	93 59 24	NC	8.000 kW-N	100 M			
James M. Lout DbA Rayburn							
BLH20040402AAN							
KGSR	LIC-N 296C2	Bastrop	TX	245.5	172.53	116.5	56.03
30 07 18	97 34 45	NCN	39.000 kW-N	152 M			
Emmis Austin Radio Broadca							
BLH19971006KG							

Call	Channel	Location		Azi	Dist	FCC	Margin
Lat.	Lng.	Ant	Power	HAAT			
RADD	ADD 300A	Oakwood		TX 359.3	99.45	41.5	57.95
31 40 21	95 57 42		6.000 kW		100 M		
	Charles Crawford						
KQQK	LIC-Z 300C	Beaumont		TX 120.2	158.48	95.5	62.98
30 03 05	94 31 37	ZCN	100.000 kW-Z		551 M		
	Liberian Broadcasting Of H						
	BLH19901213KA						
	73.215 license						
KQQK.C	CP -N 300C	Beaumont		TX 121.7	158.89	95.5	63.39
30 01 01	94 32 47	NCX	90.000 kW-N		596 M		
	Liberian Broadcasting Of H						
	BPH20040427ABI						

CH 267 A , 101.3 MHz

Roy E. Henderson, Proposal to Move Madisonville to Caldwell
Attachment #2



Call	CH#	Type	Location	Ant	Power	Azi	D-KM	FCC	Margin
	Lat.		Lng.				HAAT		
AP267	267A	APP	Madisonville			57.8	84.32	114.5	-30.18
31 00 00	95 59 58	CX		3.100	kW		141 M		
AU062	267A	VAC	Madisonville			59.1	92.36	114.5	-22.14
31 01 20	95 55 00	N		6.000	kW		100 M		
RDEL	267A	DEL	Madisonville			59.1	92.36	114.5	-22.14
31 01 20	95 55 00			6.000	kW		100 M		
AP267	267A	APP	Madisonville			59.1	92.36	114.5	-22.14
31 01 20	95 55 00			0.000	kW	0	M		
RADD	267A	ADD	Madisonville			60.0	98.83	114.5	-15.67
31 02 22	95 51 00			6.000	kW		100 M		
KROXFM	268C2	LIC N	Buda			253.4	105.52	105.5	0.02
30 19 23	97 47 58	NC		12.500	kW		257 M		
KLOL	266C	LIC	Houston			133.4	164.54	164.5	0.04
29 34 34	95 30 36	CY		100.000	kW		585 M		
KZTR	270C3	LIC	Franklin			38.3	47.64	41.5	6.14
30 56 04	96 26 15	CX		25.000	kW		100 M		
KASEFM	264C*	LIC	Austin			253.2	105.84	94.5	11.34
30 19 10	97 48 06	CY		100.000	kW		363 M		

Declaration:

I, Douglas L. Vernier, declare that I have received training as an engineer from the University of Michigan School of Engineering. That, I have received degrees from the University in the field of Broadcast Telecommunications. That, I have been active in broadcast consulting for over 30 years;

That, I have held a Federal Communications Commission First Class Radiotelephone License continually since 1964. In 1985, this license was reissued by the Commission as a lifetime General Radiotelephone license no. PG-16-16464;

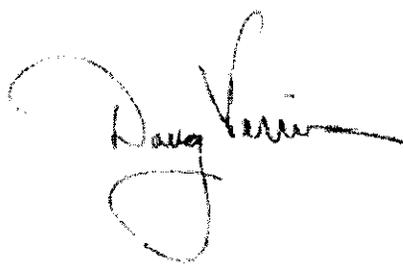
That, I am certified as a Professional Broadcast Engineer (#50258) by the Society of Broadcast Engineers, Indianapolis, Indiana. (Re-certified 1/2006.)

That, my qualifications are a matter of record with the Federal Communications Commission;

That, I have been retained the Roy E. Henderson to prepare the engineering showings appended hereto:

That, I have prepared these broadcast engineering showings, the technical information contained in same and the facts stated within are true of my knowledge;

That, under penalty of perjury, I declare that the foregoing is correct.

A handwritten signature in black ink, appearing to read "Doug Vernier", with a large, stylized flourish at the end.

Douglas L. Vernier

Executed on May 17, 2006

ATTACHMENT C

214.944.5850

About cyberTX
Contact Info
TX Businesses
CyberTX News

cyberTX.com business listing sponsored by:

Igi

Consultants and Engineers

**Lexington Group
International, Inc**



CHEMICAL, REFINING, FABRICATION,
PHARMACEUTICAL, SEMI CONDUCTOR
AND
CONSTRUCTION INDUSTRIES

Welcome!

Web Pages of Businesses in Bedias, Texas!

THE BUSINESS INDEX

Instructions

Use your Web Browser's FIND option to locate a business name or scroll. Clicking on the business will take you to that location. After entering a page, you can use your BACK OPTION to get you back to this page.

[Go back to Home Page](#)

#

[2K ROPING SUPPLIES](#)

A

[ACROSS THE BORDER TAQUERIA](#)
[ANATOMY TARGET COMPANY INC](#)
[ANATOMY TARGET SYSTEMS INC](#)

B

BEARS DEN

C

CAMACHO'S FILTER CLEANING SERVICES
CHEROKEE'S TRADING POST
CONNIE S MERHLEY
CROSS COUNTRY CATERING

D

DAVIS FEED AND HARDWARE
DOMINIQUE ENTERPRISES

E

ELPAL ENTERPRISES

H

HALFWAY LUMBER COMPANY
HERB N RUB

I

ISREAL CURTIS AUCTION COMPANY

L

LION STAR
LONE STAR COUNTRY CRITTERS
LOOKADOO WELDING SERVICES INC

M

MCCOY'S ARMORY
MISSOURI HERB FARM

R

RAW ENTERPRISES
ROBBINS RANCHES

S

S & R ENTERPRISES
SLICK SKINS
SPARKLING CREATIONS
SYNERGY RESOURCES

T

TEXAS CHARMS
THE CROZ NEST
THE WEENIE WAGON
TYLIFT TRUCKS

Add your Business - Texas Businesses only

A Service of MED Services, Ltd. Company



A Copyright © 2000
MED Services, LTD. Co.
all rights reserved
Void where prohibited.
E-Mail: medsvc@medsvc.com

Privacy & Legal Notices

409-395-0500

[About cyberTX](#)
[Contact Info](#)
[TX Businesses](#)
[cyberTX News](#)

cyberTX.com business listing sponsored by:

Igi

Consultants and Engineers

**Lexington Group
International, Inc**



CHEMICAL, REFINING, FABRICATION,
PHARMACEUTICAL, SEMI CONDUCTOR
AND
CONSTRUCTION INDUSTRIES

Business Listings in in Bedia, Texas

Miscellaneous retail (59)

Used Merchandise Stores

CHEROKEE'S TRADING POST
HWY 90 S
BEDIAS, TX 77831
409/395-0506

MCCOY'S ARMORY
HOPEWELL CHURCH RD
BEDIAS, TX 77831
409/874-2388

THE CROZ NEST
21914 GRIMES ST
BEDIAS, TX 77831
409/395-4551

Sporting Goods Stores and Bicycle Shops [Home](#)

2 K ROPING SUPPLIES
6 MI E OF BEDIAS ON FM 1696 ON LFT
BEDIAS, TX 77831
409/291-9181

ANATOMY TARGET COMPANY INC
15 MI WEST OF HUNTSVILLE ON STATE HWY 30
BEDIAS, TX 77831
409/874-2800

BEARS DEN
CR 132 @ LOT 7
BEDIAS, TX 77831
409/395-1503

DOMINIQUE ENTERPRISES
TRK #77 PEACEFUL PLACE II
BEDIAS, TX 77831
409/395-8942

LION STAR
@ HWY 30 15 MILES FROM HUNTSVILLE
BEDIAS, TX 77831
409/874-2800

Gift, Novelty, and Souvenir Shops [Home](#)

CONNIE S MERHLEY
PO BOX 7
BEDIAS, TX 77831
409/395-0105

Fuel Dealers, NEC [Home](#)

RAW ENTERPRISES
105 HWY
BEDIAS, TX 77831
409/395-8732

Florists [Home](#)

SPARKLING CREATIONS
MAIN @ GRIMES 1 BLK OFF HWY 90
BEDIAS, TX 77831

409/395-7673

Miscellaneous Retail Stores, NEC Home

ELPAL ENTERPRISES
14794 HIGHWAY 90 N
BEDIAS, TX 77831
409/395-2774

LONE STAR COUNTRY CRITTERS
92 SHANNON PLACE ESTATES
BEDIAS, TX 77831
409/395-0043

S & R ENTERPRISES
26324 BEDIAS DR
BEDIAS, TX 77831
409/395-9216

TEXAS CHARMS
25665 BANKHEAD DR
BEDIAS, TX 77831
409/395-2005

Add your Business - Texas Businesses only

A Service of MED Services, Ltd. Company



www.cybertx.com

A Copyright © 2000
MED Services, LTD. Co.
all rights reserved
Void where prohibited.
E-Mail: medsvc@medsvc.com

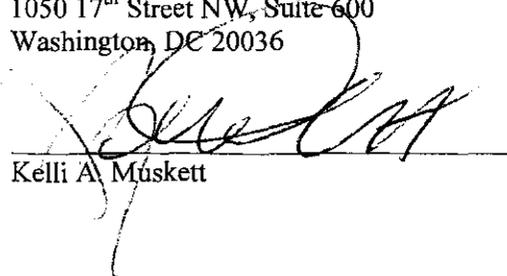
Privacy & Legal Notices

CERTIFICATE OF SERVICE

I, Kelli A. Muskett, a secretary in the law office of Lauren A. Colby, do hereby certify that a copy of the foregoing has been sent via first class, U.S. mail, postage prepaid, this 19th day of May, 2006, to the offices of the following:

Charles Crawford
4553 Bordeaux Avenue
Dallas, Texas 75202

Gene A. Bechtel
Law Offices of Gene Bechtel
1050 17th Street NW, Suite 600
Washington, DC 20036


Kelli A. Muskett