

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of)
)
Amendment of Section 73.202(b),) MB Docket No. 06-65
Table of Allotments,) RM-11320
FM Broadcast Stations)
(Ashland, Kansas))
)

To: Office of the Secretary
Attn: Assistant Chief, Audio Division,
Media Bureau

COUNTERPROPOSAL

Chisholm Trail Broadcasting Co. ("Chisholm Trail"), licensee of Station KNID(FM), Alva, Oklahoma, by its counsel, hereby submits this Counterproposal to the *Notice of Proposed Rule Making*, DA 06-727 (rel. March 31, 2006) ("*NPRM*") in the above-captioned proceeding. Chisholm Trail proposes to (i) allot Channel 288C3 to Kinsley, Kansas as that community's first local service, (ii) allot Channel 259C3 at Ashland, Kansas (instead of Channel 283C3 as proposed in the *NPRM*) as that community's first local service,¹ (iii) delete Channel 259C1 at Alva, Oklahoma and allot Channel 259C2 to Mustang, Oklahoma as that community's first local service, and modify the license of KNID(FM) accordingly, and (iv) allot Channel 260C3 to Medford, Oklahoma as that community's first local service. If this proposal is granted, Chisholm Trail will file applications for Channel 288C3 at Kinsley, Channel 259C2 at Mustang, and Channel 260C3 at Medford, and construct the facilities as authorized. The following table summarizes the changes requested in this proposal (listed alphabetically):

¹ Channel 259C3 was the channel originally proposed by OKAN Community Radio in this proceeding.

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Community	Channel	
	Existing	Proposed
Ashland, Kansas	--	259C3
Kinsley, Kansas	--	288C3
Alva, Oklahoma	248C2, 259C1, 289C2, 296C3	248C2, 289C2, 296C3
Medford, Oklahoma	--	260C3
Mustang, Oklahoma	--	259C2

I. CHANNEL 288C3, KINSLEY, KANSAS.

1. Chisholm Trail proposes to allot Channel 288C3 at Kinsley, Kansas as that community's first local service. As demonstrated in the attached Technical Exhibit, Channel 288C3 can be allotted to Kinsley at the coordinates of 37-53-20, North Latitude, 99-24-34, West Longitude consistent with Section 73.207 of the Commission's Rules. *See* Figure 1. A 70 dBu signal can be provided to Kinsley from the proposed reference coordinates. *See* Figure 1.

2. The City of Kinsley, Kansas, located in Edwards County, is a community for allotment purposes. Kinsley is an incorporated city listed in the 2000 U.S. Census with a population of 1,658 persons. Therefore, Kinsley is presumed to have the status of a community for allotment purposes. *See Arnold and Columbia, California, 7 FCC Rcd 6302, ¶ 12 (1992)*. The United States Postal Service associates the zip code 67547 with Kinsley and operates an office in the city. Kinsley has several businesses, churches, a city government, a library, a fire department and various other community indicia. Kinsley is called the "Midway City" because it is 1,561 miles from both New York City and San Francisco. The city has a master plan and zoning ordinances. In addition, Kinsley is the county seat of Edwards County. The city operates the Kinsley Public Library and the USD 347 Kinsley-Offerle School District #181 provides public school education to the residents of the city. The Kinsley-Offerle Junior/High School is located within the city limits. A number of businesses identify with the community by using

“Kinsley” in their name, including Kinsley Drug, Kinsley Bowl, Kinsley Office Supply and Kinsley Graphic. Other businesses located in Kinsley include the following: Jory’s Pride Restaurant, Pale Theatre, Kraft Korral, Commercial Federal Bank, Midway Inn, Farmers Bank & Trust, Steve’s Food Pride, Carnival Mall and Tune Time Deli. The Edwards County Sentinel is the local newspaper published in Kinsley. Healthcare in Kinsley is provided by the Edwards County Hospital. Community organizations in Kinsley include the Kinsley Baptist Church, Assembly of God Church, Church of the Holy Nativity, St. Nicholas Catholic Church, United Methodist Church, and Our Redeemer Lutheran Church. The Edwards County Historical Society Museum and the Carnival Heritage Center are each located in Kinsley. Among the events that are held in Kinsley include the Coon Creek Bluegrass Festival and Midway Days. The Kinsley Chamber of Commerce and Edwards County Economic Development Corporation are located within the city. *See Exhibit 1.*

II. CHANNEL 259C3, ASHLAND, KANSAS.

3. Chisholm Trail’s proposal for Channel 288C3 at Kinsley conflicts with the *NPRM* proposal to allot Channel 288C3 to Ashland, Kansas. Chisholm Trail proposes to allot Channel 259C3 at Ashland in lieu of Channel 288C3 in order to provide a first local service and satisfy the expression of interest stated by OKAN Community Radio (“OKAN”), the petitioner in this proceeding. In fact, OKAN originally proposed the allotment of Channel 259C3 at Ashland.² Because Chisholm Trail is proposing to modify the facilities of Station KNID(FM) herein, OKAN’s original proposal for Channel 259C3 at Ashland can now be granted.

² In a Petition for Rule Making filed on May 9, 2005, Chisholm Trail proposed to (i) delete Channel 259C1 at Alva, Oklahoma and allot Channel 259C2 to Mustang, Oklahoma as that community’s first local service, and modify the license of Station KNID(FM) accordingly, (ii) allot Channel 260C3 to Medford, Oklahoma as that community’s first local service, and (iii) allot Channel 259C1 to Greensburg, Kansas as that community’s first local service. In this Counterproposal, Chisholm Trail is proposing the same changes to Station KNID(FM) and thus it will separately file to withdraw its May 9, 2005, Petition for Rule Making.

4. As demonstrated in the attached Technical Exhibit, Channel 259C3 can be allotted to Ashland at the coordinates specified in the *NPRM* consistent with Section 73.207 of the Commission's Rules provided that a change is made at Alva, Oklahoma (Station KNID(FM)). *See* Figure 2. This change is discussed below. A 70 dBu signal can be provided to Ashland from the proposed reference coordinates. *See* Figure 2. As the Commission recognized in the *NPRM*, Ashland is a community for allotment purposes.

III. STATION KNID(FM), ALVA TO MUSTANG, OKLAHOMA.

5. In order to allot Channel 259C3 at Ashland, Station KNID(FM) must change its channel from 259C1 to 259C2 and its community of license from Alva to Mustang, Oklahoma. As demonstrated in the Technical Exhibit, Channel 259C2 can be allotted to Mustang at the coordinates of 35-33-40, North Latitude, 97-50-40, West Longitude consistent with Section 73.207 of the Commission's Rules. *See* Figure 3. A 70 dBu signal can be provided to Mustang from the proposed reference coordinates. *See* Figure 3. The relocation of KNID(FM) from Alva to Mustang will result in a predicted net gain in population of 810,110 persons within the proposed KNID(FM) 60 dBu contour. *See* Figure 3-A. This proposal will not create any white or gray area. *See* Figure 3-B.

6. Chisholm Trail desires to change the community of license of KNID(FM) from Alva to Mustang under the guidelines set forth in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recons. granted in part*, 5 FCC Rcd 7094 (1990). There, the Commission stated that a station may change its community of license without subjecting the license to other expressions of interest if (1) the proposed allotment is mutually exclusive with the current allotment; (2) the current community of license will not be deprived of its only local service; and

(3) the proposed arrangement of allotments is preferred under the Commission's allotment priorities. These criteria are met here. First, the proposed use of Channel 259C2 at Mustang is mutually exclusive with the current use of Channel 259C1 at Alva. See Figure 3. Second, Alva will not be deprived of its only local service because it will continue to be served by Stations KALV(AM), KTTL(FM), and KPAK(FM). Third, the provision of a first local service to Mustang (2000 U.S. Census population 13,156) under Priority 3 will result in a preferential arrangement of allotments over the retention of a fourth local service at Alva (2000 U.S. Census population 5,288) under Priority 4. See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

7. Alva is not located in an Urbanized Area. Mustang is located in the Oklahoma City, Oklahoma Urbanized Area. Therefore, this relocation implicates the Commission's policy regarding the migration of stations into urban areas. See *Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (1995) ("*Headland*"); *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) ("*Tuck*"). In making the determination whether to award an urbanized community a first local service preference, the Commission will consider (1) the extent to which the station will provide service to the entire Urbanized Area, (2) the relative populations and proximity of the suburban and central city, and, most importantly, (3) the independence of the suburban community. *Tuck*, 3 FCC Rcd at 5377-78. In this case, from the proposed transmitter site, KNID(FM) would place a 70 dBu contour over 55% of the Oklahoma City Urbanized Area. Mustang's population (2000 U.S. Census 13,156) is 2.6% of that of Oklahoma City (2000 U.S. Census 506,132), and Mustang is located 21 kilometers from Oklahoma City. These figures are similar to those of other suburban communities granted a first local preference. See, e.g., *Park City, Montana*, 19 FCC Rcd 2092, 2094 (2004) (Park City's population is less than 1% of that of

Billings, and Park City is located 21 miles from Billings); *Ada, Newcastle and Watonga, Oklahoma*, 11 FCC Rcd 16896, 16899 (1996) (Newcastle's population is less than 1% of that of Oklahoma City, and Newcastle is located 15 miles from Oklahoma City). Nevertheless, the Commission has repeatedly stated that these factors are less important than evidence of independence. *See Headland*, 10 FCC Rcd at 10355. The following analysis of the eight *Tuck* factors demonstrates the independence of Mustang from Oklahoma City.

(1) ***Extent to which the residents of Mustang work in Mustang.*** According to the 2000 U.S. Census figures, 893 of the 6,571 employed individuals in Mustang, or 13.6%, work at their place of residence. *See* Exhibit 2. This percentage compares favorably with other independent communities. *See, e.g., Albemarle and Indian Trail, North Carolina*, 16 FCC Rcd 13876 (2001) (11.3% of working-age residents worked in community); *Coolidge and Gilbert, Arizona*, 11 FCC Rcd 3610 (1996) (13% of Gilbert's working population actually worked in Gilbert).

(2) ***Newspapers and other media that cover Mustang's local needs and interests.*** The Mustang News is the hometown newspaper for Mustang. It is published weekly and, in addition to home delivery, the paper can be viewed online at <www.mustangnews.info>. The Mustang News includes local news articles, local sports articles, local obituaries, local editorials and opinions, and local classifieds. *See* Exhibit 2.

(3) ***Community leaders and residents perceive Mustang as being separate from Oklahoma City.*** Mustang was settled as part of the Oklahoma land run of 1889. It was named Mustang Township in 1890 and was officially platted as a town in 1901. In 1902 the railroad came to Mustang and throughout the early twentieth century business in Mustang centered around the railroad. Today, Mustang is one of the fastest growing cities in Oklahoma with a

diverse economy. Mustang also has its own website at <www.cityofmustang.org>. See Exhibit 2.

(4) ***Mustang has its own local government and elected officials.*** The City of Mustang is governed by a Mayor and City Council, which meets in the Mustang Municipal Building on the first and third Tuesday of each month. The Mustang City Manager is responsible for the administration of Mustang. In addition to these public officials, the City of Mustang has the following departments: Planning and Zoning, Permits and Fees, Code Enforcement, Fire, Police, Parks and Recreation, Library, Senior Center, Public Works, and Sanitation. The City of Mustang also has its own municipal court. Finally, the Mustang Economic Development Authority is a public trust created to promote the development of industrial, manufacturing, retail, cultural and educational activities within the City of Mustang. It consists of four citizen volunteers, one City Council member and one city staff liaison.

(5) ***Mustang has its own zip code and phone book.*** The zip code assigned to Mustang is 73064, and the U.S. Postal Service operates one office in Mustang. Transwestern publishes the Yukon-Mustang phone book which combines yellow and white page directories for the community of Mustang. See Exhibit 2.

(6) ***Mustang has its own commercial establishments and health facilities.*** Mustang is home to the Mustang Chamber of Commerce and a variety of businesses and commercial establishments. A number of local businesses identify with the community by using “Mustang” in their name, including Mustang Alignment and Tire Shop, Mustang Animal Health Clinic, Mustang Automotive, Mustang Chiropractic Clinic, Mustang Developers Association, Mustang Electric, Mustang Flowers, Mustang Insurance, Mustang Muffler, Mustang Optical, Mustang Quick Lube, and Mustang Veterinary Hospital. See Exhibit 2.

Health care is provided to the community of Mustang by a number of sole practitioners. Mustang is also home to a number of religious organizations, including the Church of Christ, First Baptist Church of Mustang, Jehovah's Witnesses Mustang Congregation, Mustang Assembly of God, and Mustang United Methodist Church. Community organizations in Mustang include the Mustang Lions Club. *See Exhibit 2.*

(7) *Mustang is a separate and distinct advertising market from Oklahoma City.*

The Mustang News provides the businesses of Mustang with a place to advertise to the residents of Mustang without relying on the Oklahoma City advertising market. *See Exhibit 2.*

(8) *Mustang has its own schools, library, police department and fire department.*

There are ten public schools in Mustang, which are administered by Mustang Public Schools. The schools include Mustang Elementary, Mustang Middle School, Mustang Creek Elementary, Mustang North Middle School, and Mustang High School. The Mustang Public Library is located in the Mustang Town Center and provides the full range of library services to the community of Mustang. The Mustang Fire Department was established in the 1950s and the first Fire Chief was appointed in 1968. Today, the Department consists of 10 paid professionals and 25 volunteers. The Mustang Police Department is administered by the Chief of Police and provides protection and enforcement services for the City of Mustang. *See Exhibit 2.*

Mustang is clearly independent of Oklahoma City and therefore deserving of a first local service. As demonstrated above, Mustang satisfies all of the independent community indicia required by Tuck.

IV. CHANNEL 260C3, MEDFORD, OKLAHOMA.

8. As a result of the proposed deletion of Channel 259C1 from Alva, Chisholm Trail proposes to allot Channel 260C3 at Medford, Oklahoma as that community's first local service.

As demonstrated in the Technical Exhibit, Channel 260C3 can be allotted to Medford consistent with Section 73.207 of the Commission's Rules with respect to all existing and proposed domestic allotments and facilities. *See* Figure 4. A 70 dBu signal can be provided to Medford from the proposed reference coordinates. *See* Figure 4. In addition, the allotment of Channel 260C3 to Medford will provide service to 14,030 persons within the proposed 60 dBu contour. *See* Figure 4. Finally, this allotment will cover most of the area that would otherwise lose its third full time aural service as a result of the proposed deletion of Channel 259C1 from Alva.

9. Medford, Oklahoma enjoys the attributes that the Commission traditionally associates with a community. Medford is listed in the 2000 U.S. Census with a population of 1,172 and therefore is presumed to have the status of a community for allotment purposes. *See Arnold and Columbia, California, 7 FCC Rcd 6302 (1992)*. Medford is located in Grant County, Oklahoma and is situated along the Chisholm Trail. Medford is the county seat of Grant County, and the county offices, departments, and courts are located in Medford. The ZIP code assigned to Medford is 73759, and the U.S. Postal Service operates one branch in Medford. According to Dea Kretchmar, the Medford City Manager, Medford was incorporated in 1893. The Medford city government operates under a manager/city council form of governance. The City Council is composed of five elected members who serve four-year terms. The City Manager is appointed by the City Council. Medford also has the following departments: water, streets, city clerk, fire, police, and library. The Medford School District I-54, which is composed of Medford Elementary School and Medford High School, is located in Medford. *See* Exhibit 3.

10. According to Ms. Kretchmar, Medford is home to approximately fifty businesses. A number of local businesses identify with the community by using "Medford" in their name, including Medford Family Clinic, Medford Flora, Medford Service Center and Medford Printing.

Churches that are home to Medford include the St. Mary's Catholic Church and the First Baptist Church. In addition, the Grant County Museum is located in Medford. See Exhibit 3. If this proposal is granted, Chisholm Trail will file an application for Channel 260C3 at Medford and construct the facilities as authorized.

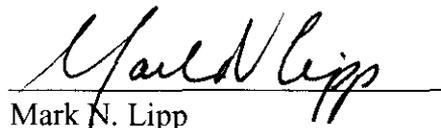
V. CONCLUSION.

This Counterproposal will result in the allotment of first local services at Mustang (2000 U.S. Census pop. 13,156), Kinsley (2000 U.S. Census pop. 1,658), and Medford (2000 U.S. Census pop. 1,172) and will result in a predicted net gain in population of 824,140 persons. For the foregoing reasons the Commission should (i) allot Channel 288C3 at Kinsley, Kansas as that community's first local service, (ii) allot Channel 259C3 at Ashland, Kansas as that community's first local service, (iii) delete Channel 259C1 at Alva, Oklahoma and allot Channel 259C2 to Mustang, Oklahoma as that community's first local service, and modify the license of KNID(FM) accordingly, and (iv) allot Channel 260C3 to Medford, Oklahoma as that community's first local service. Chisholm Trail reiterates that it will file applications for Channel 288C3 at Kinsley, Channel 259C2 at Mustang, and Channel 260C3 at Medford, and construct the facilities as authorized if the Commission grants this Counterproposal.

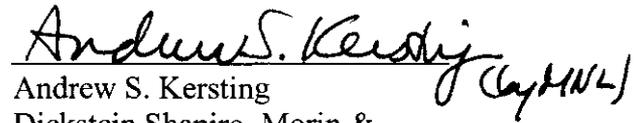
Respectfully submitted,

CHISHOLM TRAIL BROADCASTING CO.

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May 22, 2006

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ENGINEERING EXHIBIT EE-RM:

**COUNTERPROPOSAL - DOC 06-65
ASHLAND, KANSAS**

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**ALLOT CH. 288C3 AT KINSLEY, KS
ALLOT CH. 259C3 AT ASHLAND, KS
DELETE CH. 259C1 AT ALVA, OK
ALLOT CH. 259C2 TO MUSTANG, OK
ALLOT CH. 260C3 TO MEDFORD, OK**

MAY 20, 2006

**ENGINEERING STATEMENT PREPARED ON BEHALF OF
CHISHOLM TRAIL BROADCASTING CO.**

LICENSEE OF KNID(FM)

CHANNEL 259C1 - ALVA, OK - Facility ID: 37123



ENGINEERING EXHIBIT EE-RM:

**COUNTERPROPOSAL - DOC 06-65
ASHLAND, KANSAS**

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**ALLOT CH. 288C3 AT KINSLEY, KS
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DELETE CH. 259C1 AT ALVA, OK
ALLOT CH. 259C2 TO MUSTANG, OK
ALLOT CH. 260C3 TO MEDFORD, OK**

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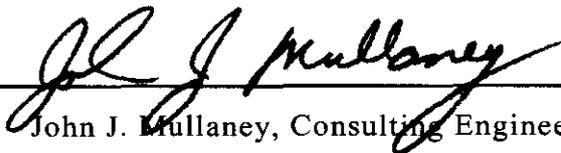
1. Declaration of Engineer
2. Narrative Statement
3. Figure 1, Channel Allocation Study for Ch. 288C3.
From Special Ref. Point for Kinsley, KS
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6. Figure 3-A, Existing vs: Proposed 60 dBu Map.
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From City Ref. Point for Medford, OK

Declaration

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an principal engineer in the firm of Mullaney Engineering, Inc., and that I have provided engineering services in the area of telecommunications since 1977. My qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission.

The firm of Mullaney Engineering, Inc., has been requested by Chisholm Trail Broadcasting Co., licensee of Radio Station KNID(FM), at Alva, OK (Facility ID 37123), to prepare the instant engineering exhibit in support of a counterproposal to a rule making petition to amend the FM Table of Allotments.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.



John J. Mullaney, Consulting Engineer

Executed on the 20th day of May 2006

ENGINEERING EXHIBIT EE-RM:

**COUNTERPROPOSAL - DOC 06-65
ASHLAND, KANSAS**

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**ALLOT CH. 288C3 AT KINSLEY, KS
ALLOT CH. 259C3 AT ASHLAND, KS
DELETE CH. 259C1 AT ALVA, OK
ALLOT CH. 259C2 TO MUSTANG, OK
ALLOT CH. 260C3 TO MEDFORD, OK**

NARRATIVE STATEMENT:

This engineering statement has been prepared on behalf of Chisholm Trail Broadcasting Co., licensee of Radio Station KNID(FM), at Alva, OK (Facility ID 37123). The purpose of this statement is to support a counterproposal in MB Docket 06-65 proposing the allotment of Ch. 288C3 at Ashland, Kansas. KNID proposes to allot Ch. 288C3 to Kinsley, Kansas (city population 1,658 persons, Edwards County). This allotment will require the pending docket at Ashland, KS (city population 975 persons, Clark County), to substitute Ch. 259C3 in lieu of 288C3. The proposed allotment of Ch. 259C3 at Ashland is possible provided KNID at Alva, OK, moves to Mustang, OK (city population 13,156 persons, Canadian County) and operates on Ch. 259C2 in lieu of Ch. 259C1 or Ch. 259C0 as specified in KNID's pending 301 application (BPH-20050509ADS). The modification of KNID will make it possible to allot Ch. 260C3 at Medford, OK (city population 1,172 persons, Grant County). In a separate filing KNID will dismiss its previous RM proposal which requested the allotment of Ch. 259C1 at Greensburg, KS.

The allotments at Kinsley, Ashland, Mustang and Medford would all be a first local service.

Pursuant to MM Docket No. 98-155, effective May 9, 2005, KNID has been authorized to remain on its existing FM Channel 259C1 in lieu of the proposed Ch. 260C1. In addition, KWFX at Woodward, OK, has been authorized to remain on its existing FM Channel 261C1 in lieu of the proposed Ch. 292C1. It should also be noted that on May 16, 2006, the FCC wrote a letter to OKAN Community Radio in which OKAN was informed that its petition for rule making for Ch. 259C3 at Sedan, KS and Ch. 259C3 at Tuttle, OK, was dismissed.

The city of Alva, OK, (Woods County) will continue to be served by three FM services & one AM service and grant of this proposal will result in the **first** aural service to Mustang, OK.

KNID(FM) wishes to point out that the channel it seeks is on its existing channel with a proposed location which is less than the separation specified by Section 73.207 and, therefore, it is not necessary to demonstrate the availability of an additional equivalent channel in accordance with Section 1.420(g) of the rules.

The proposed reference point is not within 290 kilometers (180 miles) of a United States Border and, therefore, foreign concurrence is not required.

Proposed Special Reference - Kinsley, KS

For the purposes of this rule making the applicant proposes a special reference point which is 4.5 km (2.8 miles) south of the city of Kinsley, KS.

N. Latitude: 37° 53' 20" NAD-27
W. Longitude: 99° 24' 34"

The proposed reference site will provide an unobstructed view of the city of license and is located close enough to serve the entire community with the required 3.16 mV/m or 70 dBu contour.

Figure 1 is a **Channel 288C3** Allocation Study from a special reference point. The study indicates the actual & required separation in kilometers to all licenses, construction permits, applications, vacant allocations and pending rule makings. From this study it can be determined that with the exception of the proposed allotment at Ashland, KS, the proposed reference point exceeds all of these minimum separations. The 60 dBu allotment circle will encompass 9,880 persons. This RM proposes to allot Ch. 259C3 in lieu of 288C3 to Ashland, KS.

Proposed Special Reference - Ashland, KS

For the purposes of this rule making the applicant proposes a special reference point which is 7.5 km (4.7 miles) east of the city of Ashland, KS.

N. Latitude: 37° 12' 16" NAD-27
W. Longitude: 99° 41' 14"

The proposed reference site will provide an unobstructed view of the city of license and is located close enough to serve the entire community with the required 3.16 mV/m or 70 dBu contour.

Figure 2 is a **Channel 259C3** Allocation Study from a special reference point. The study indicates the actual & required separation in kilometers to all licenses, construction permits, applications, vacant allocations and pending rule makings. From this study it can be determined that with the exception of the proposed allotment at Greensburg, KS (dismissed in separate filing) and the operation of KNID on Ch. 259C1/C0, the proposed reference point exceeds all of these minimum separations. The 60 dBu allotment circle will encompass 3,750 persons. This RM proposes to allot Ch. 259C2 at Mustang, OK, in lieu of 259C1/C0 currently used by KNID at Alva, OK.

Proposed Special Reference - Mustang, OK

For the purposes of this rule making the applicant proposes a special reference point which is 22.5 km (14.0 miles) on a bearing of N-331-E (northwest) from Mustang, OK.

N. Latitude:	35°	33'	40"	NAD-27
W. Longitude:	97°	50'	40"	

The proposed reference site will provide an unobstructed view of the city of license, Mustang, OK and is located close enough to serve the entire community with the required 3.16 mV/m or 70 dBu contour.

Figure 3 is a **Channel 259C2** Allocation Study from a special reference point. The study indicates the actual & required separation in kilometers to all licenses, construction permits, applications, vacant allocations and pending rule makings. From this study it can be determined that proposed reference point exceeds all of these minimum separations. It should be noted that on May 16, 2006, the FCC dismissed the Tuttle, OK, proposal to use Ch. 259C3.

The licensed site of KNID(FM) is located 120.7 km (75.0 miles) away whereas the required co-channel separation is 224 km (139.2 miles). Therefore, the proposed substitution is in accordance with Section 1.420(g) and is not required to demonstrate the availability of an additional equivalent channel.

Figure 3-A is a map which compares the **existing 60 dBu contour** at Alva (94,935 persons) and **proposed 60 dBu allotment circle** at Mustang (905,430 persons). The move to Mustang will serve 810,495 additional persons or **9.5 times** the total population currently being served. The map also demonstrates that the C2 allotment circle completely encompasses the boundaries of Mustang, OK. In addition, the map outlines the **Urbanized Area of Oklahoma City**. The allotment circle will encompass **58%** of the population and **55%** of the area within the Urbanized Area.

Figure 3-B is a map illustrating the **other aural services** to the KNID licensed 60 dBu contour (loss area). During daytime hours the entire area will continue to be served by at least four aural services. During nighttime hours there are three areas which will be reduced from three to two services. However, the proposed allotment for 260C3 at Medford, OK, will serve two of these areas (Yellow circle).

Proposed City Reference - Medford, OK

For the purposes of this rule making the applicant proposes to use the official city reference coordinates for Medford, OK.

N. Latitude: 36° 48' 25" NAD-27
W. Longitude: 97° 44' 00"

The proposed reference site will provide an unobstructed view of the city of license, Medford, OK and is located close enough to serve the entire community with the required 3.16 mV/m or 70 dBu contour.

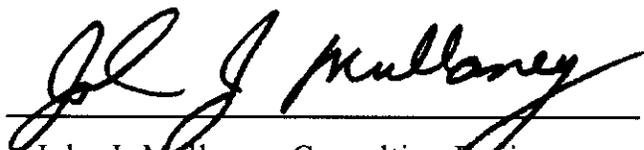
Figure 4 is a **Channel 260C3** Allocation Study from a city reference point. The study indicates the actual & required separation in kilometers to all licenses, construction permits, applications, vacant allocations and pending rule makings. From this study it can be determined that proposed reference point exceeds all of these minimum separations. The 60 dBu allotment circle will encompass 14,030 persons. This RM proposes to delete KNID on 259C1/C0 from Alva, OK.

SUMMARY

Chisholm Trail Broadcasting Co., licensee of Radio Station KNID(FM), at Alva, OK (Facility ID 37123) requests that the FM Table of Allotments be amended to allot Ch. 288C3 to Kinsley, KS, allot 259C3 at Ashland, KS (counterproposal), delete Ch. 259C1 at Alva, OK and re-allot Ch. 259C2 to Mustang, OK as a first service, & to modify the license of KNID(FM) accordingly and to allot Ch. 260C3 to Medford, OK. The allotments at Kinsley, Ashland, Mustang and Medford would all be a first local service.

	Present	Proposed
Kinsley, KS	- - -	288C3
Ashland, KS	- - -	259C3
Alva, OK	248C2, 259C1 , 289C2, 296C3	248C2, ---- 289C2, 296C3
Mustang, OK	- - -	259C2
Medford, OK	- - -	260C3

KNID(FM) believes that the proposed change in community and allotment of three new FM services will serve the public interest. If granted, KNID(FM) will quickly file an application for construction permit at Mustang, OK and will file auction applications for Kinsley, KS and Medford, OK.



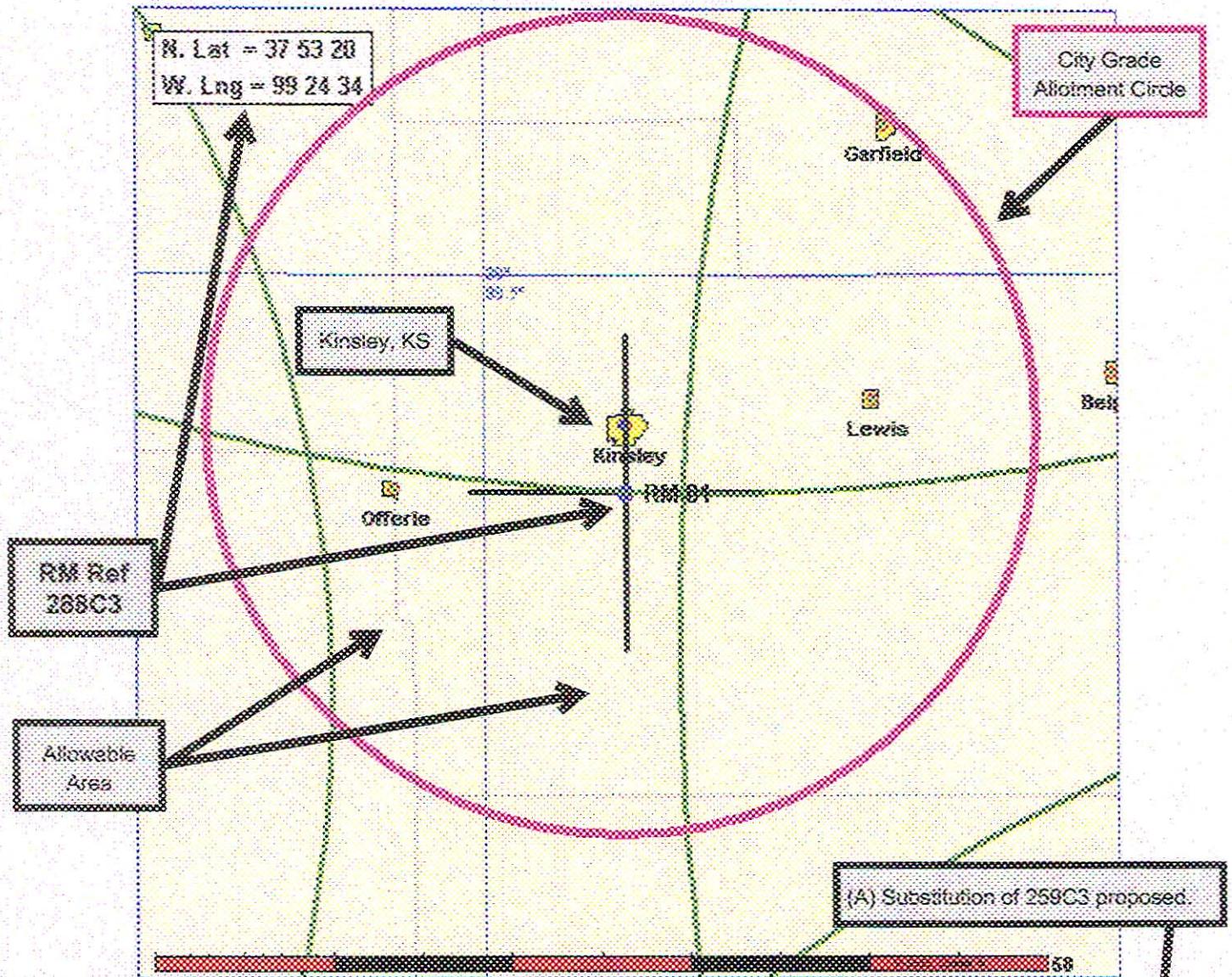
John J. Mullaney, Consulting Engineer

May 20, 2006.

CH 288 C3, 105.5 MHz

Counterproposal

May 2006



Call	CH#	Type	Location	State	Azi	D-KM	FCC	Margin	
RM-01	288C3		Kinsley	KS	0.0	0.00	153.0		
RADD	288C3	ADD	Ashland	KS	202.3	84.19	153.0	-68.81	(A)
NEW .C	289C2	CP	N Hays	KS	2.3	117.04	117.0	0.04	
KFBZ	287C0	LIC	Haysville	KS	92.8	166.18	163.0	3.18	
KSSA	290C1	LIC	Ingalls	KS	262.8	93.26	76.0	17.26	
KTTL.C	289C2	CP	Alva	OK	148.0	144.24	117.0	27.24	
KVSVFM	288C2	LIC	Beloit	KS	32.6	209.48	177.0	32.48	

FIGURE 1 - CHANNEL STUDY 288C3 KINSLEY, KS

FROM SPECIAL REFERENCE

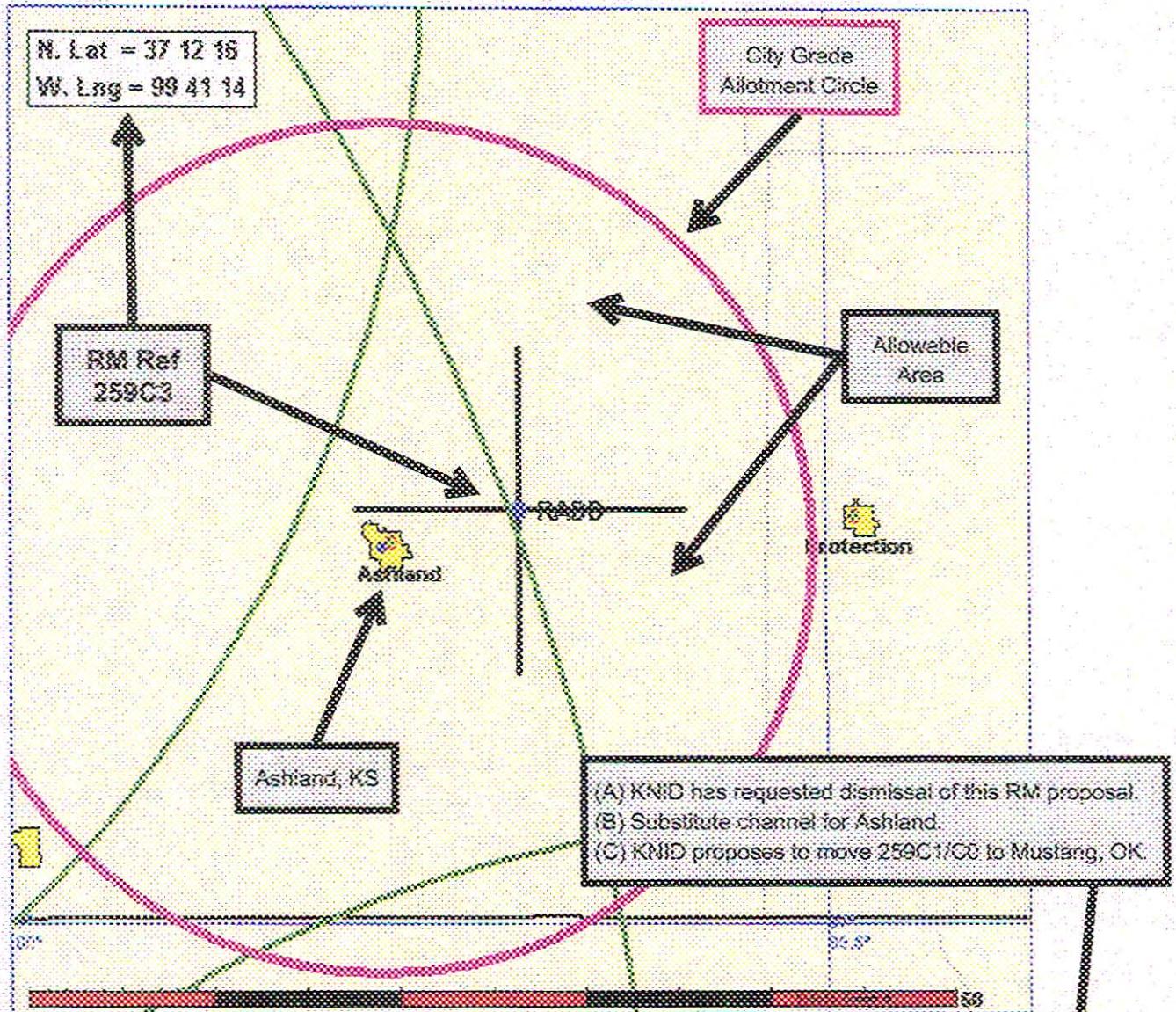


Counterproposal - Doc 06-65 Ashland, KS - May 2006

CH 259 C3, 99.7 MHz

Counterproposal

May 2006



Call	CH#	Type	Location		Azi	D-KM	FCC	Margin	
RADD	259C1	ADD	Greensburg	KS	66.5	34.58	210.5	-175.92	(A)
RADD	259C3	ADD	Ashland	KS	0.0	0.00	152.5		(B)
KNID.A	259C3	APP N	Alva	OK	116.4	142.83	225.5	-82.67	(C)
KNID	259C3	RSV	Alva	OK	112.7	156.95	225.5	-68.55	(C)
KNID	259C1	LIC	Alva	OK	117.7	144.04	210.5	-66.46	(C)
NEW .C	258C1	CP	Guymon	OK	250.6	144.00	143.5	0.50	
KJIL	256C1	LIC	Copeland	KS	290.8	86.31	75.5	10.81	
KWPX	261C1	LIC	Woodward	OK	168.4	93.93	75.5	18.43	
KWRR	260C1	LIC	Leoti	KS	310.6	185.26	143.5	41.76	

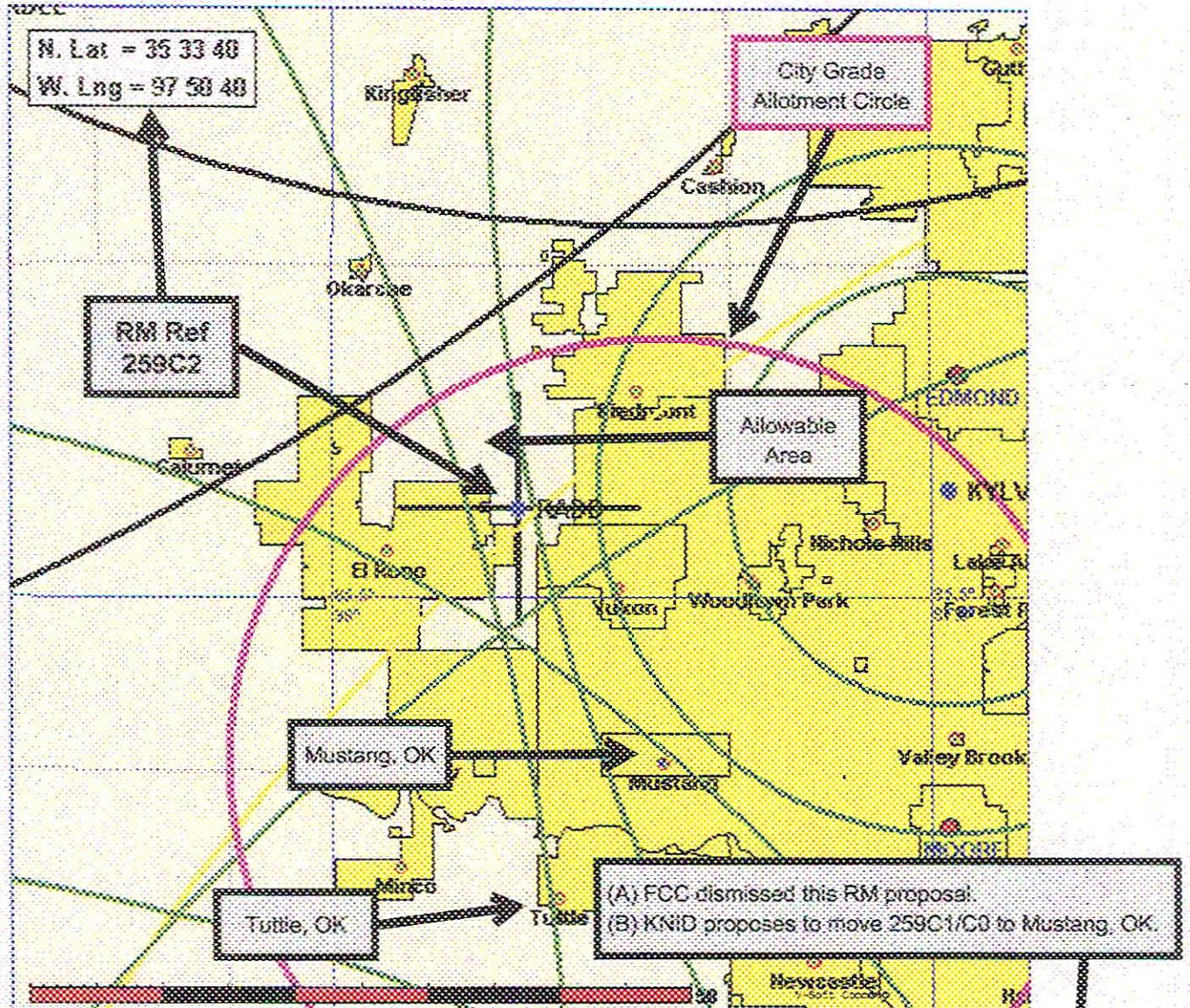
FIGURE 2 - CHANNEL STUDY 259C3 ASHLAND, KS

FROM SPECIAL REFERENCE



Counterproposal - Doc 06-65 Ashland, KS - May 2006

CH 259 C2, 99.7 MHz
 Chisholm Trail Broadcasting C
 May 2006



Data Date: 05-19-06 Job Date: 05-19-06

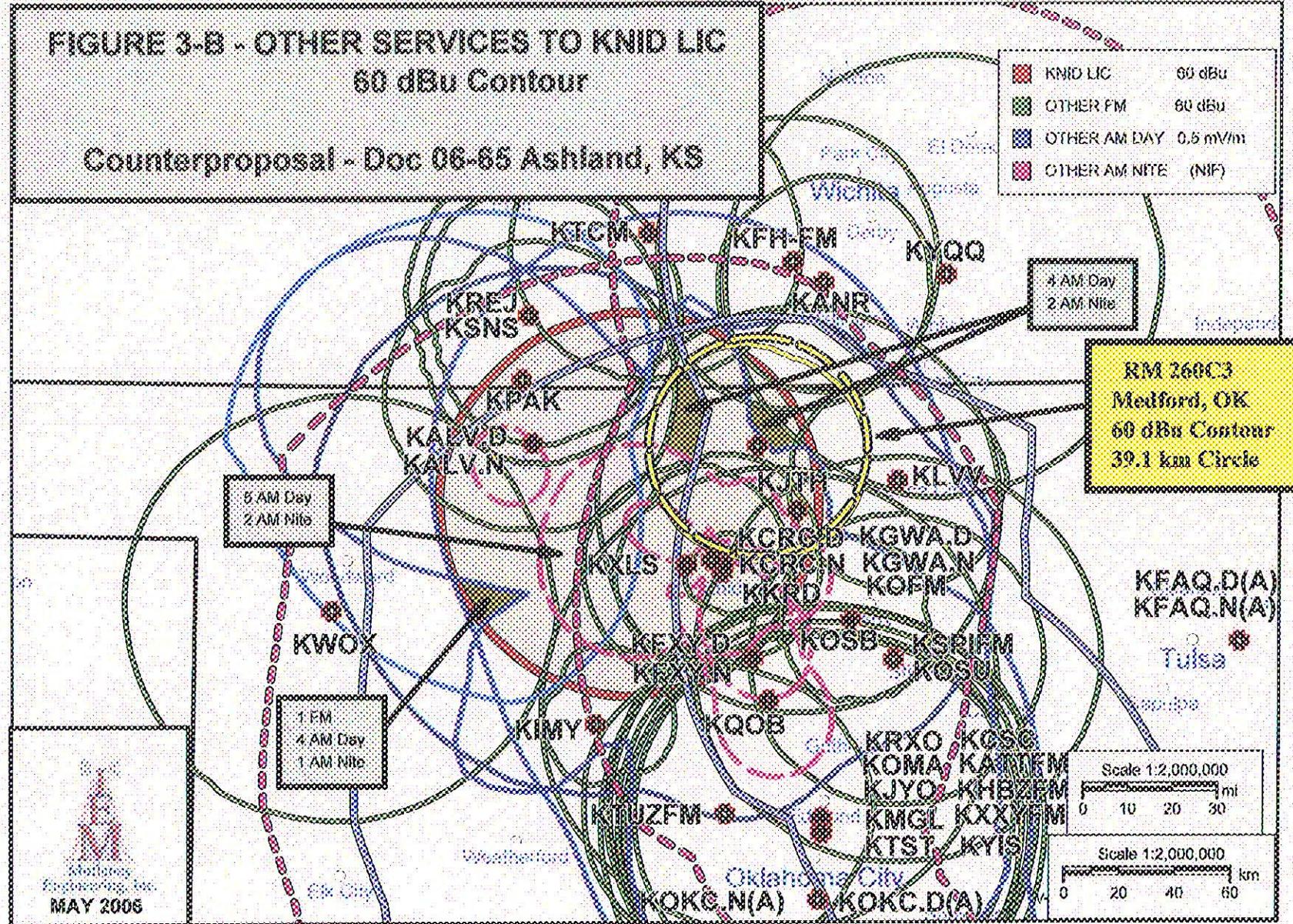
Call	CH#	Type	Location		Azi	D-KM	FCC	Margin	
RADD	259C2	ADD	Mustang	OK	0.0	0.00	189.5		
RADD	259C3	ADD	Tuttle	OK	158.7	31.99	176.5	-144.51	(A)
KNID	259C0	RSV	Alva	OK	350.7	122.46	238.5	-116.04	(B)
KNID.A	259C0	APP N	Alva	OK	342.8	123.75	238.5	-114.75	(B)
KNID	259C1	LIC	Alva	OK	342.1	120.65	223.5	-102.85	(B)
KXBL	258C1	LIC	Henryetta	OK	78.4	158.59	157.5	1.09	
RDEL	259C3	DEL	Tishomingo	OK	138.4	177.61	176.5	1.11	
AL259	259C2	VAC	Erick	OK	254.0	193.15	189.5	3.65	
KYLV.C	205C1	CP -D	Oklahoma City	OK	87.5	32.56	26.5	6.06	
DKTSH	259C3	VAC	Tishomingo	OK	145.9	183.59	176.5	7.09	

FIGURE 3 - CHANNEL STUDY 259C2 MUSTANG, OK
 FROM SPECIAL REFERENCE

**FIGURE 3-B - OTHER SERVICES TO KNID LIC
60 dBu Contour**

Counterproposal - Doc 06-65 Ashland, KS

	KNID LIC	60 dBu
	OTHER FM	60 dBu
	OTHER AM DAY	0.5 mV/m
	OTHER AM NITE	(NIF)



Medlines
Engineering, Inc.
MAY 2006

Scale 1:2,000,000
0 10 20 30 mi

Scale 1:2,000,000
0 20 40 60 km