

ORIGINAL

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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AUG 21 2006

Federal Communications Commission  
Office of Secretary

In Re: Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. 04-258
Table of Allotments,	)	RM-11000
FM Broadcast Stations.	)	RM-11149
(Boulder Town, Levan, Mount Pleasant	)	
and Richfield, UT)	)	

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

**PETITION FOR LEAVE TO FILE ENGINEERING STATEMENT  
IN RESPONSE TO "REPLY TO OPPOSITION TO PETITION FOR  
PARTIAL RECONSIDERATION"**

Micro Communications, Inc. ("Micro"), petitioner herein, by its attorney, hereby respectfully seeks leave to file the attached engineering statement of Communications Technologies, Inc. for the purpose of correcting a material error in a "Reply to Opposition to Petition for Partial Reconsideration" filed by Sanpete County Broadcasting Co. ("Sanpete") on July 19, 2006.

In support whereof, the following is respectfully shown:

1. At Page 4 of its Reply, Sanpete claims that its counterproposal, if reinstated, is entitled to a decisional preference for eliminating a huge white area of more than 750 square kilometers. This claim is developed in an attached engineering statement and Map 3 thereto.
2. The sole purpose of the instant Petition is to include in the record the engineering statement of Communications Technologies, Inc. proffered herewith in which it is demonstrated that the factual basis for Sanpete's claim is false, as it inexplicably fails to consider three AM stations which provide service to the entire area which Sanpete claims to be presently unserved.
3. We respectfully submit that the public interest requires that rulemaking decisions be

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**ENGINEERING STATEMENT CONCERNING  
REPLY TO OPPOSITION TO PETITION FOR PARTIAL RECONSIDERATION  
FILED BY SANPETE COUNTY BROADCASTING, CO. KLGL (FM)  
MB DOCKET NO. 04-258  
AMENDMENT OF THE TABLE OF ALLOTMENTS  
FM BROADCAST STATIONS  
BOULDER TOWN, LEVAN, MT. PLEASANT AND  
RICHFIELD, UTAH**

**AUGUST 2006**

**ENGINEERING STATEMENT CONCERNING  
REPLY TO OPPOSITION TO PETITION FOR PARTIAL RECONSIDERATION  
FILED BY SANPETE COUNTY BROADCASTING, CO., KLGL (FM)  
MB DOCKET NO. 04-258  
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FM BROADCAST STATIONS  
BOULDER TOWN, LEVAN, MT. PLEASANT AND RICHFIELD, UTAH**

AUGUST 2006

**SUMMARY**

The following engineering statement has been prepared on behalf of **Micro Communications, Inc.** ("Micro"), licensee of FM broadcast station KQMB, Levan, Utah, in support of a response to Reply To Opposition To Petition For Partial Reconsideration in MB Docket No. 04-258 filed by Sanpete County Broadcasting Co. ("Sanpete")<sup>1</sup> in the above captioned proceeding on July 19, 2006. Sanpete's Reply To Opposition states that Sanpete's counterproposal to Modify the Table of Allotments to add Channel 229C at Mount Pleasant, Utah would result in a new gray area with loss of service to 1,947 persons in an area of unspecified size and provide service to a white area encompassing 750 square kilometers with a population of 11 persons.

The affiant has reviewed Sanpete's Reply, including the accompanying engineering statement of Kevin Terry. The purpose of this statement is to demonstrate that Sanpete's characterization of the new service to white area associated with its counterproposal for Channel 229C at Mount Pleasant, Utah is in error and cannot be relied upon.

Figure 1, attached, depicts the KLGL Channel 229C allotment at Richfield in blue and the proposed Channel 229C allotment at Mount Pleasant in red. Figure 2 depicts AM 0.5 mV/m primary contours in relation to the KLGL allotments. Figure 3 depicts other FM services in relation to the KLGL allotments.

By reference to Figure 3 it is true, that based on FM stations only, that some white and gray area exists northeast of Huntington. However, when AM stations are considered<sup>2</sup> there are a minimum of three aural services to all gain area.

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<sup>1</sup>Sanpete is the successor to Mid-Utah Radio, Inc.

<sup>2</sup>The Mid-Utah statement references only AM station KSL despite acknowledging additional AM services in its September 13, 2004 Comments and Counterproposal.

To conclude, Sanpete's statement that its counterproposal creates a service to white area is not true. When AM stations are included, as depicted on Figure 2 herein, it is seen that there are a minimum of three aural services to all areas within the gain area associated with Sanpete's counterproposal to add Channel 229C at Mount Pleasant, Utah.

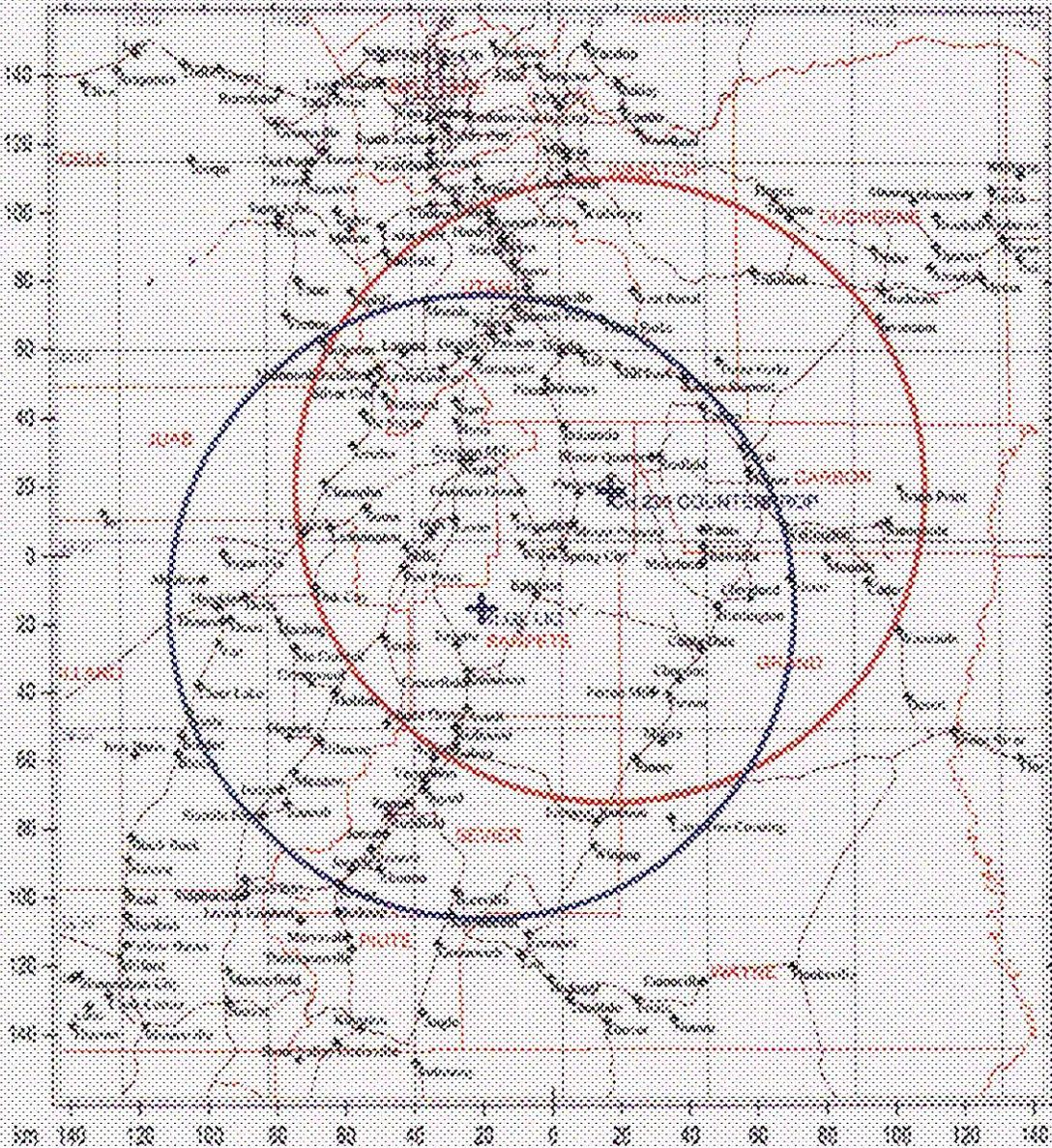
The foregoing was prepared on behalf of **Micro Communications, Inc.** by Clarence M. Beverage of *Communications Technologies, Inc.*, Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The undersigned certifies, under penalty of perjury, that the statements herein are true and correct of his own knowledge, except such statements made on information and belief, and as to these statements he believes them to be true and correct.

By \_\_\_\_\_

**Clarence M. Beverage**  
*for Communications Technologies, Inc.*  
Marlton, New Jersey

August 18, 2006

CH 229C ANAL. SITE - BLUE CH 229C @ MT. PLEASANT - RED

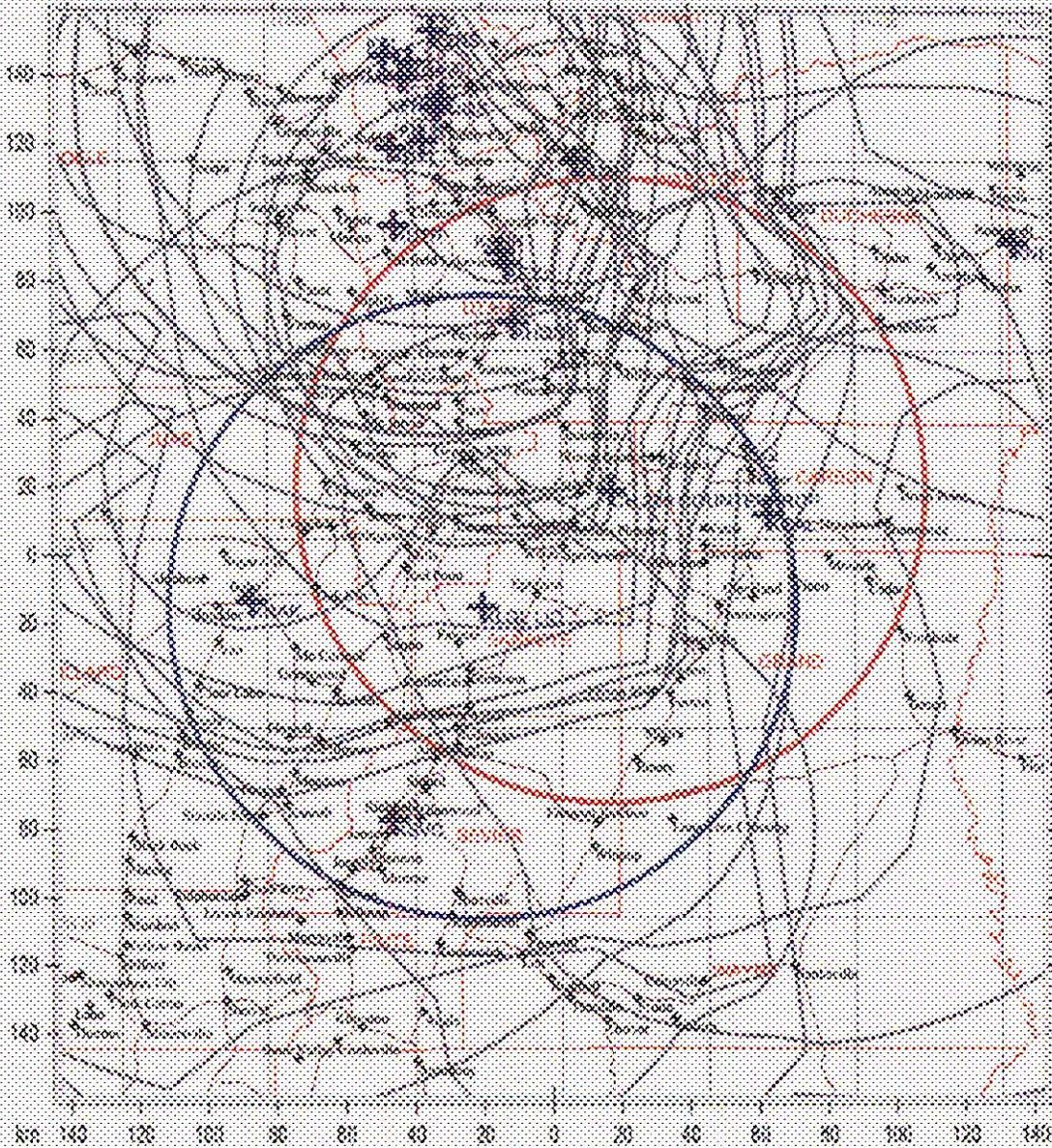


Communications Technologies, Inc. Marlton, New Jersey 08053

- National Border
- County Border
- City Border
- Highways
- Lat/Long Grid

Map Scale: 1:2000000 1 cm = 20.00 km VERT. Scale: 215.37 x 285.51 km

CH29C @ RICHMONTE - BLUE CH29C @ MT PLEASANT - RED



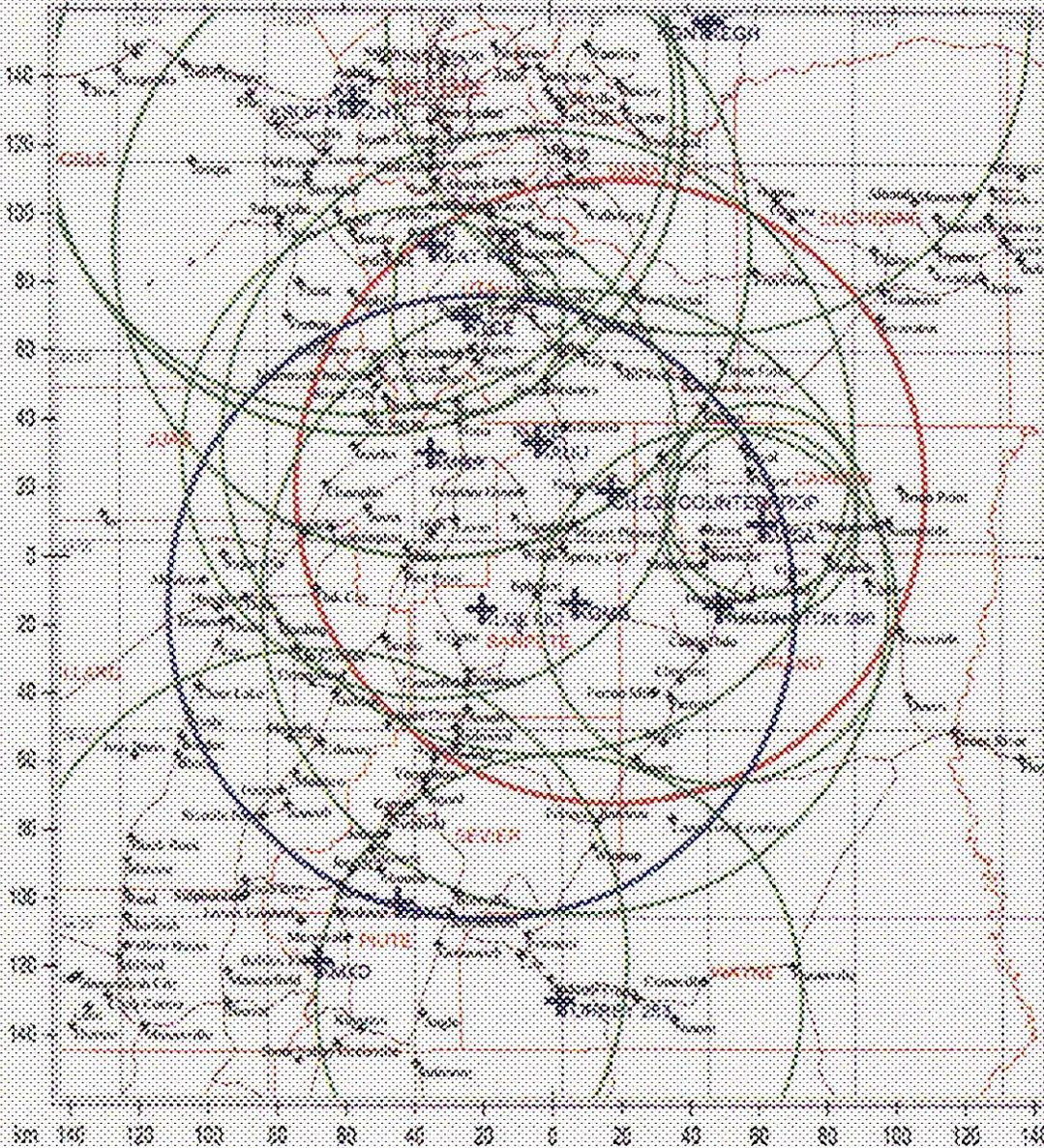
Communications Technologies, Inc. Morriston, New Jersey 08853

----- National Borders    ----- County Borders    ----- City Borders    ----- Highways    ----- Latitude Grid

Map Scale: 1:2000000    1 cm = 20.00 km    1 in. = 316.37 x 100.00 km

Figure 2

CH29C @ RICE SITE - BLUE CH29C @ MT. PLEASANT - RED



Communications Technologies, Inc. Marlton, New Jersey 08053

----- National Borders    ----- County Borders    ----- City Borders    ----- Highways    ----- Lat/Long Grid

Map Scale: 1:3180000    1 cm = 20.00 km    1 in = 316.87 x 200.81 km

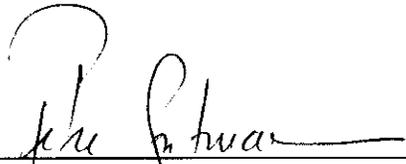
Figure 1

**Certificate of Service**

I, Peter Gutmann, an attorney in the law firm of Womble Carlyle Sandridge & Rice, PLLC, do hereby certify that I have on this 21<sup>st</sup> day of August, 2006, caused copies of the foregoing Petition for Leave to File Engineering Statement in Response to "Reply to Opposition to Petition for Partial Reconsideration" to be mailed to the following by first-class United States mail, postage prepaid:

Shelley Sadowski, Esquire  
Katten Muchin Zavis Rosenman  
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East Lobby, Suite 700  
Washington, DC 20007-5201  
(counsel to Mid-Utah Radio, Inc.)

Sanpete County Broadcasting Co.  
P.O. Box 40  
Manti, UT 84642

  
Peter Gutmann