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January 19, 2007

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: Petition for Rule Making
Dilley, Texas

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my
Petition for Rule Making proposing to add Channel 291A
at Dilley, Texas.

Respectfully submitted,

Katherine Pyeatt
Katherine Pyeatt
3500 Maple Ave., #1320
Dallas, Texas 75219
(214) 991-9363

Dilley Cover

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

In the Matter of)
)
Amendment of 73.202(b)) MB Docket No. _____
Table of Allotments)
FM Broadcast Stations)
(Dilley, Texas))

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

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Katherine Pyeatt respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 291A to Dilley, Texas.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 291A to Dilley, Texas as that community's third competing FM service.¹ Dilley is an incorporated community with a population of 3,674 people.² Dilley has its own mayor, its own schools, fire department, police department, post

¹ Stations KSWG 95.3 FM & KLMO 98.9 FM are licensed to Dilley. Additionally, the vacant allotment, Channel 229A is assigned to Dilley, Texas.

² U.S. Census 2000

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office and a number of local churches. Dilley is a community that is certainly deserving of a third competing FM service. "Local radio stations play an important role in their communities, providing local news, information and entertainment to residents, and generally serving as good corporate citizens in the local community life. This is particularly true in smaller towns where the radio stations are limited in number. Yet there are still rural areas of our country that do not have even a local radio station."³ The proposed channel 291A will provide additional diversity and an outlet for local self-expression to Dilley residents and therefore is in the public interest.

In order for Channel 291A to be allotted at Dilley, Texas, the vacant allotment, Channel 289A at Cotulla, Texas will need to be relocated 5.45 km south.

The proposed changes are:

	<u>Present</u>	<u>Proposed</u>
Dilley, TX	-----	291A
Cotulla, TX	289A`	289A

Attached hereto is a channel study confirming that Channel 291A can be allocated to Dilley, Texas, consistent with the FCC's FM separation rules, provided the vacant Channel 289A at Cotulla, Texas is relocated 5.45 km south.

³ Statement of Commissioner Kevin J. Martin, MM & O, MM Docket 99-240, released May 20, 2004.

See revision of FM Assignment Policies and Procedures, 90
FCC 2d 88 (1992). (See, Attachment A)

Reference coordinates for Channel 291A at Dilley, Texas
are:

28 36 06 N
99 06 21 W

In order for Channel 291A to be allotted at Dilley,
Texas, the vacant Channel 289A at Cotulla, Texas will need
to be relocated 5.45 km south. Attached hereto is a
channel study confirming that Channel 289A at Cotulla,
Texas can be relocated 5.45 km south consistent with the
FCC's FM separation rules and still provide city grade
service to Cotulla, Texas. See revision of FM Assignment
Policies and Procedures, 90 FCC 2d 88 (1992). (See,
Attachment B)

Reference coordinates for the relocated Channel 289A at
Cotulla, Texas are:

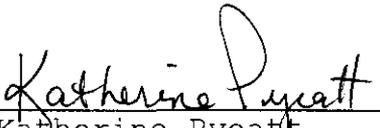
28 22 00 N
99 17 00 W

Should this petition be granted and Channel 291A is
allotted to Dilley, Texas, Petitioner will apply for
Channel 291A at Dilley and after it is authorized, will
promptly construct the new facility. Furthermore, should
the Commission authorize Channel 291A at Dilley, Texas, and
eventually proceed to auction, I hereby certify that it is

my full intention to apply to participate in that auction of Channel 291A allotment at Dilley specified in my petition and also specified in my Form 301 for this Channel which I have filed electronically simultaneous with this Petition for Rule Making.

The factual information provided in these Comments is correct and true to the best of my knowledge.

Respectfully submitted,


Katherine Pyeatt
3500 Maple Ave., #1320
Dallas, Texas 75219
(214) 991-9363

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17th Street, N.W., Washington, D.C. 20036, Telephone (301) 340-1651, telecopier (301) 340-6811, attorney for Katherine Pyeatt. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Katherine Pyeatt.

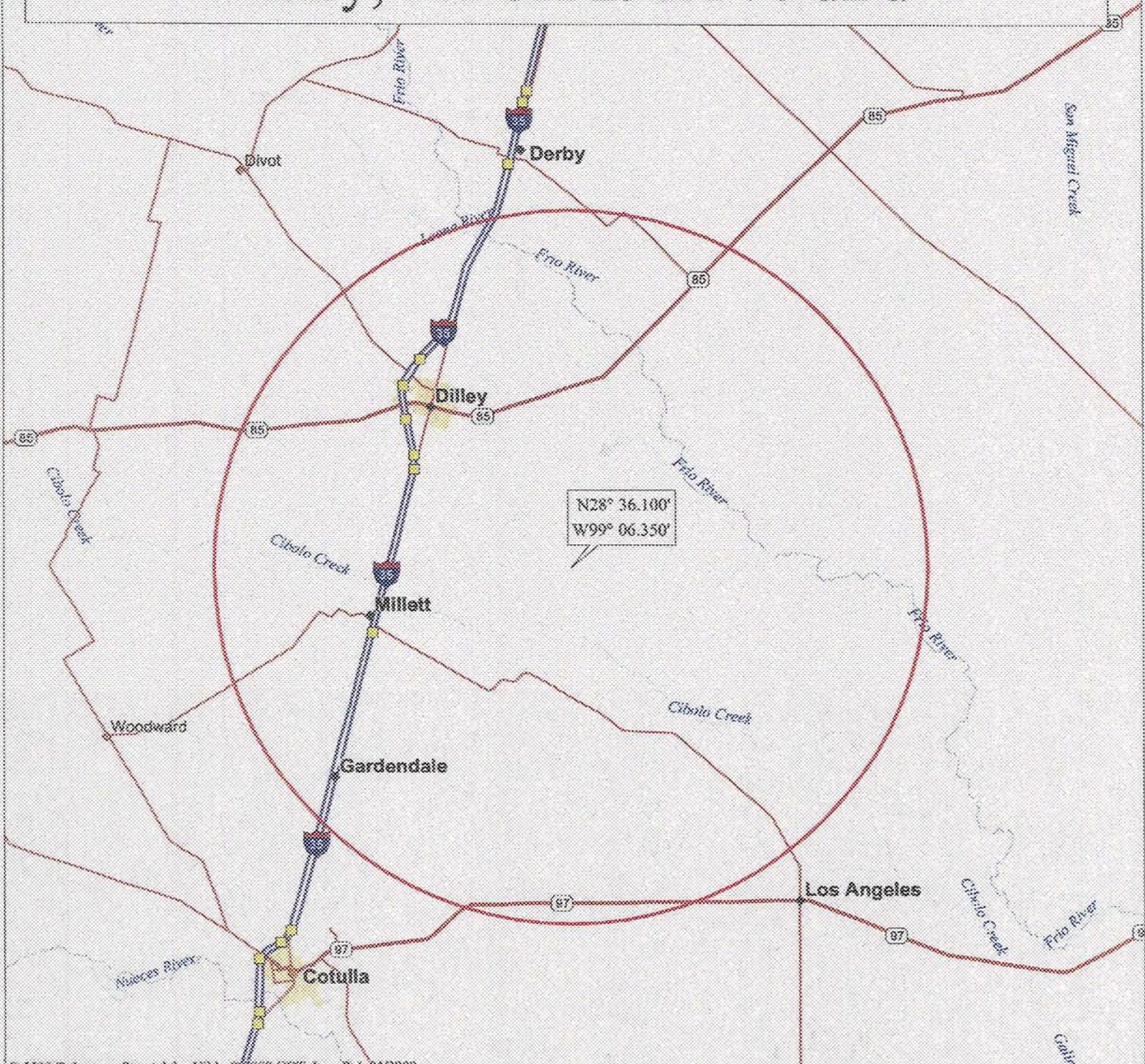
January 19, 2007

Dilley Petition

ATTACHMENT A

(Channel Study for Channel 291A at Dilley, Texas)

Dilley, TX CH 291A 70 dBu



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Mag 11.00
 Thu Jan 18 12:15 2007
 Scale 1:250,000 (at center)
 5 Miles
 5 KM

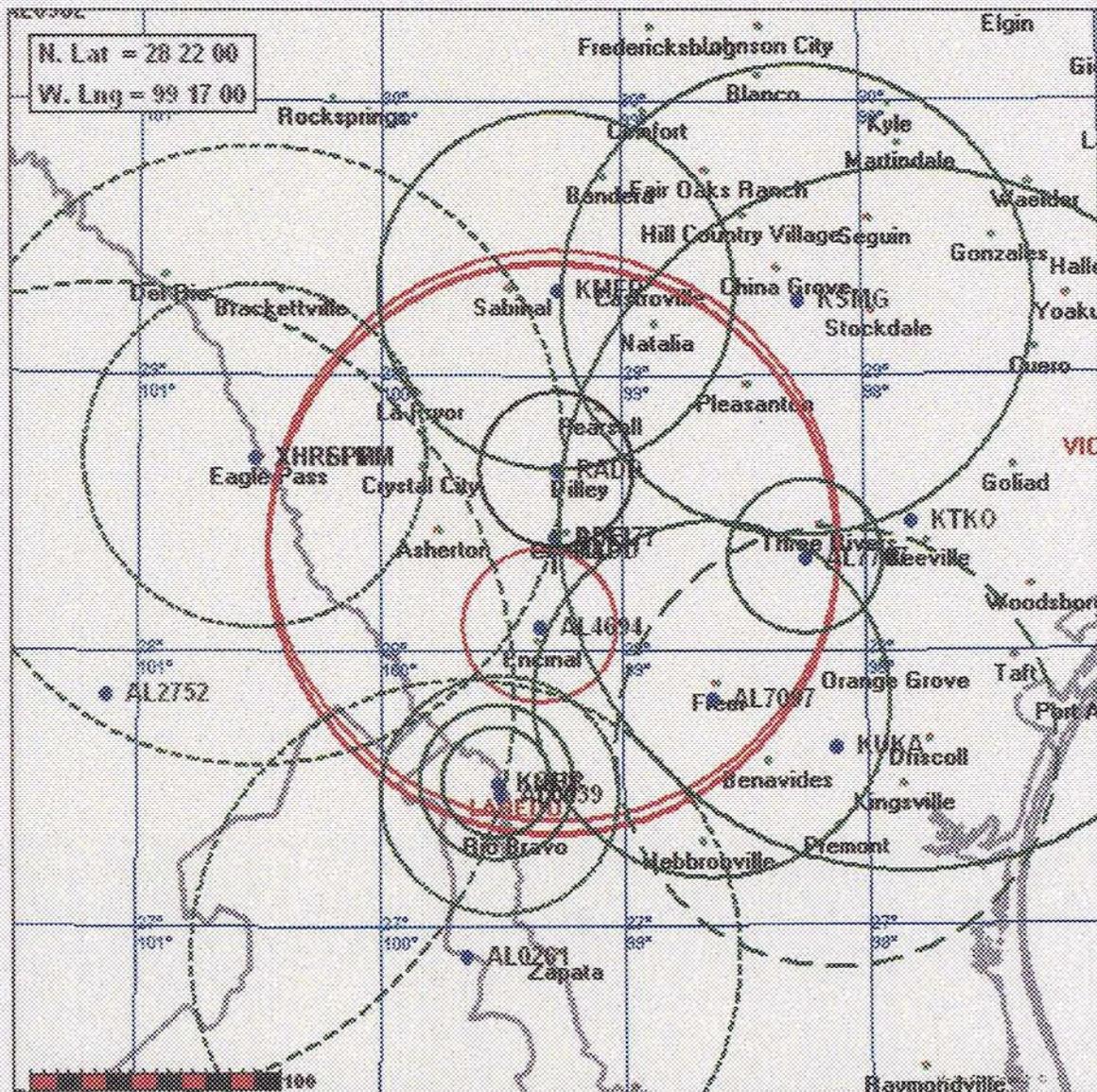
- | | | | |
|--|---------------------------|--|--------------------|
| | Local Road | | Population Center |
| | Major Connector | | Water |
| | State Route | | River/Canal |
| | Interstate/Limited Access | | Intermittent River |
| | Exit | | |
| | County Seat | | |
| | Small Town | | |
| | Locale | | |

ATTACHMENT B

(Channel Study for the relocated Channel 289A at Cotulla, TX)

CH 289 A, AA, 105.7 MHz

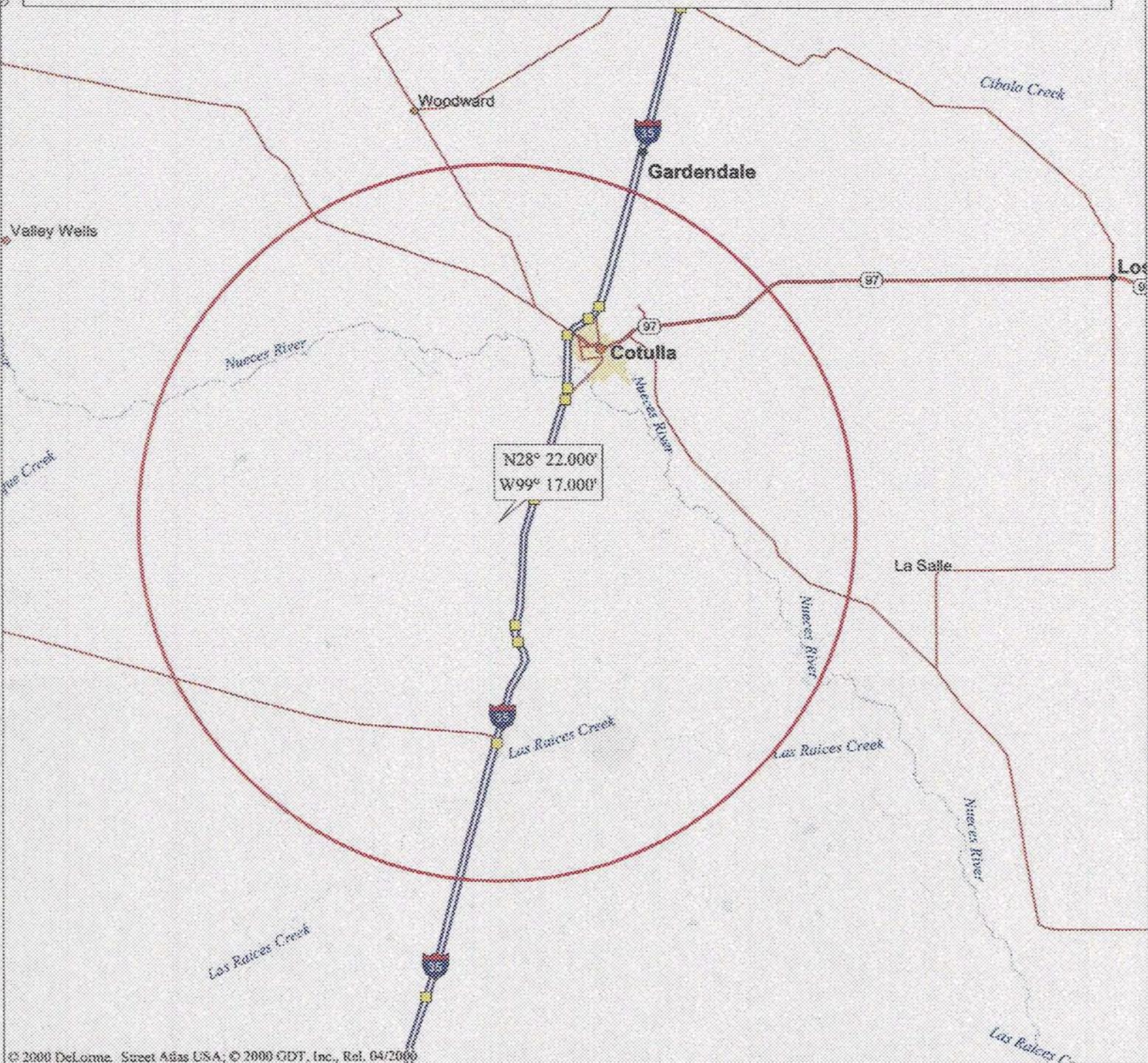
Kzia, Inc.



Data Date:10-10-06 Job Date:01-16-07

Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
RADD	289A	ADD	Cotulla	TX	332.6	0.58	115.0	-114.42
RDEL	289A	DEL	Cotulla	TX	3.1	5.45	115.0	-109.55
AL6277	289A	VAC	Cotulla	TX	3.1	5.45	115.0	-109.55
AL4694	286A	VAC	Encinal	TX	190.4	30.77	31.0	-0.23
XHREFM	288B	OPE	Piedras Negras	CI	287.7	126.49	125.0	1.49
XHREFM	288B	OPE	Piedras Negras	CI	287.7	126.49	125.0	1.49
RADD	291A	ADD	Dille	TX	2.3	32.90	31.0	1.90
KTKO	289C3	LIC	Beeville	TX	85.0	144.73	142.0	2.73
AL7097	288A	VAC	Freer	TX	133.4	87.78	72.0	15.78
AL2752	290C	AL	Sabins	CI	252.5	189.85	165.0	24.85
KMFR	290A	LIC	Hondo	TX	0.8	104.92	72.0	32.92
KSMG	287C	LIC	Seguin	TX	44.3	141.48	95.0	46.48
KUKA	290C3	LIC N	San Diego	TX	124.9	138.58	89.0	49.58
AL0039	287B1	AL	Nuevo Laredo	TA	192.7	101.22	48.0	53.22
AL0261	289A	AL	San Rafael	TA	192.5	167.46	111.0	56.46
XHPSPFM	292B	OPE	Piedras Negras	CI	287.7	126.43	69.0	57.43
XHPSPFM	292B	OPE	Piedras Negras	CI	287.7	126.43	69.0	57.43

Cotulla, TX CH 289A 70 dBu



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5 Miles
5 KM

- | | |
|---------------------------|--------------------|
| Local Road | Population Center |
| Major Connector | Land |
| State Route | Water |
| Interstate/Limited Access | River/Canal |
| Exit | Intermittent River |
| County Seat | |
| Small Town | |
| Locale | |