

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

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In the Matter of)
)
Amendment of Section 73.202(b)) MB Docket No. _____
Table of Allotments,) RM - _____
FM Broadcast Stations)
(Elko, Nevada))

To: The Chief, Allocations Branch

PETITION FOR RULE MAKING

Comes now L. TOPAZ ENTERPRISES, INC., (hereafter "Petitioner"), pursuant to Section 1.401 of the Commission's Rules, and respectfully petitions the Commission to amend the FM Table of Allotments, 47 C.F.R. 73.202(b), to allocate FM Channels 274C3 and 284C3 to Elko, Nevada, as that community's fifth and sixth commercial FM channels.

Proposal of Petitioner:

<u>City</u>	<u>Proposal</u>
Elko, Nevada	Add 274C3, 284C3

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MB 07-38

In support of this proposal, the following information is herewith submitted for consideration:

Elko is an incorporated community located in Elko County in northeast Nevada. The city population is 16,708 and the county population is 45,291 1/. It is the county seat of Elko County. Adoption of this proposal will provide Elko with its fifth and sixth commercial FM broadcast channels.

Attached hereto and made a part of this petition is a Technical Exhibit in support of the requested allotment. Based on the information contained therein, it appears that the requested channel could be allocated to Elko, in full compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules, without the imposition of a site-restriction.

Petitioner has simultaneously filed FCC Form 301 (Application For Construction Permit For Commercial Broadcast Station) for each of the requested channels. If this proposal is adopted, Petitioner will participate in the auction process, and if successful in obtaining a construction permit, will promptly construct and operate the proposed stations at Elko, Nevada.

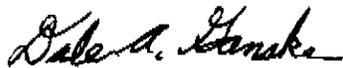
In accordance with Section 1.52 of the Commission's Rules and Regulations, I hereby certify that I have examined the foregoing *Petition for Rule Making* and the attached Technical Exhibit and that both are true and correct to the best of my knowledge and belief.

1/ Population figures from the 2000 U.S. Census.

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, Section 73.202(b), be amended as requested herein.

Respectfully submitted,

L. TOPAZ ENTERPRISES, INC.



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by:

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July 5, 2007



TECHNICAL EXHIBIT

IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM CHANNEL 274C3 and 284C3
ELKO, NEVADA

L. TOPAZ ENTERPRISES, INC.

Prepared July 5, 2007

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TECHNICAL EXHIBIT

**IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM CHANNELS 274C3 and 284C3
ELKO, NEVADA**

L. TOPAZ ENTERPRISES, INC.

INTRODUCTION

This Technical Exhibit supports the petition of L. TOPAZ ENTERPRISES, INC., seeking to amend the FM Table of Allotments, Section 73.202(b) of the Rules, by allocating FM Channels 274C3 and 284C3 to Elko, Nevada, as that community's fifth and sixth commercial FM channels.

ALLOCATION

A study was performed using the computerized **SEARCHFM** frequency search program and the current FCC/NTIS database to determine if Channels 274C3 and 284C3 could be allocated in compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules. The study included all applicable co-channel, adjacent-channel and IF separations. The results of that study indicate that both channels may be allocated to Elko in full compliance with Section 73.207(b), without the imposition of a site-restriction.

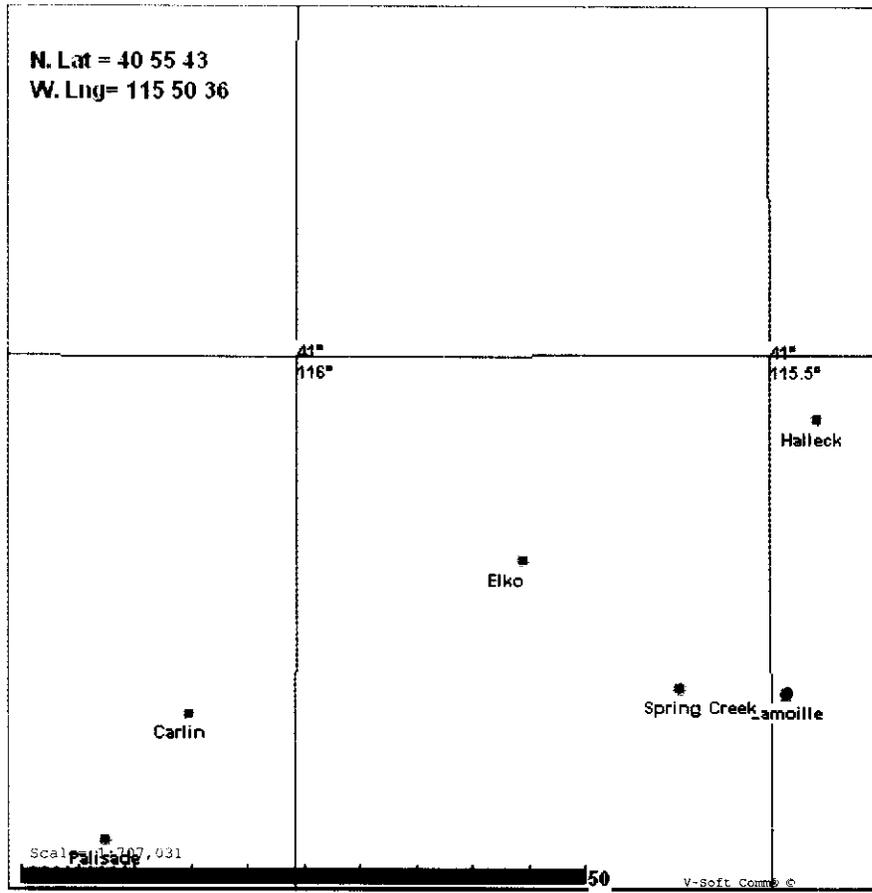
CONCLUSION

The proposed change in the table of allotments will not create a short-spacing to any existing station, pending application or vacant allotment, and will not require the reallocation of any station, pending application or vacant allotment.

A copy of the separation studies for Channel 274C3 and 284C3 are attached hereto and made a part of this report (only those stations and channels sufficiently close for concern are noted therein).

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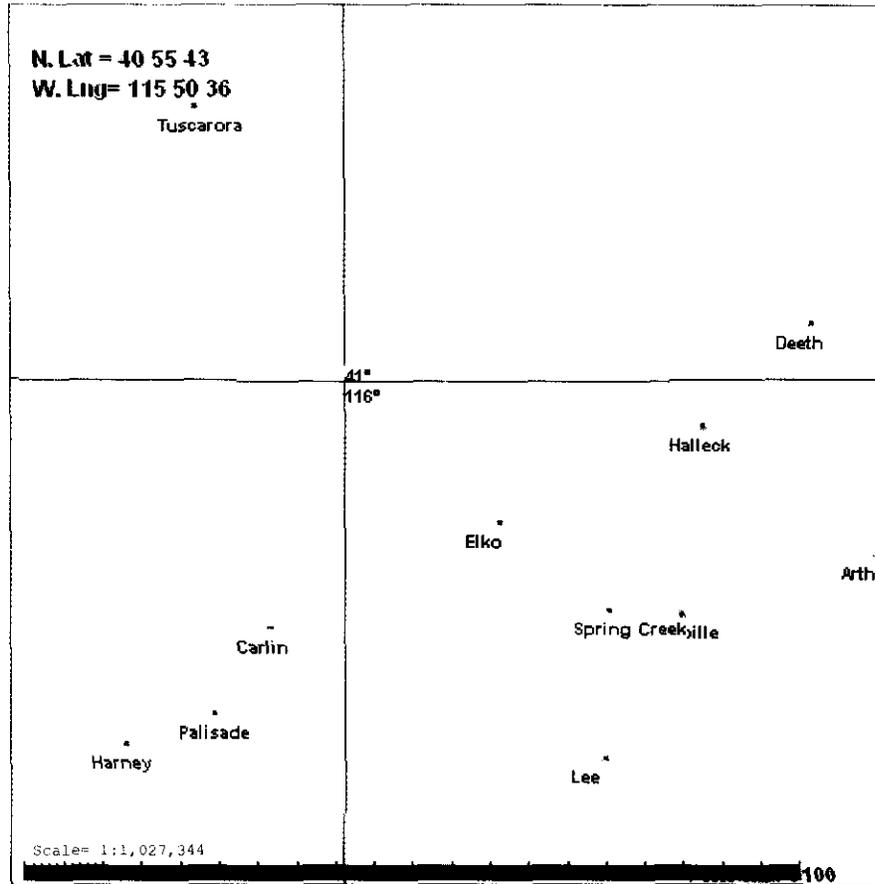
SEARCHFMTM LOCATE STUDY CH 274 C3 102.7 MHz
 ELKO NEVADA
 CHANNEL 274C3



Dates:
 Data: 07-04-07
 Job : 07-04-07

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
KVUW.C	272C	CP	Wendover	NV	109.45	78.2	96.0	13.45
KSL-FM	274C	LIC	Midvale	UT	308.82	94.4	237.0	71.82

SEARCHFM(™)LOCATE STUDY CH 284 C3 104.7 MHz
 ELKO NEVADA
 CHANNEL 284C3



Dates:
 Data: 07-04-07
 Job : 07-04-07

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
KIKX	284C	LIC	Ketchum	ID	296.13	27.5	237.0	59.13
RADD	285C	ADD	Milford	UT	345.88	139.9	176.0	169.88
NEW.C	281C	CP	Fallon	NV	284.65	247.5	96.0	188.65
AL2097	287C	VAC	Fallon Station	NV	285.73	239.8	96.0	189.73
RADD	286C	ADD	Kaysville	UT	288.26	81.6	96.0	192.26
KYLZ	285C2	LIC	Tremonton	UT	316.10	72.0	117.0	199.10
RDEL	286C	DEL	Manti	UT	308.82	94.4	96.0	212.82
RADD	286C	ADD	American Fork	UT	308.82	94.4	96.0	212.82
KSOP-F	282C	LIC	Salt Lake City	UT	308.82	94.4	96.0	212.82
KJOT	286C	LIC	Boise	ID	314.65	356.3	96.0	218.65
KTMV	282C	LIC	Boise	ID	314.65	356.3	96.0	218.65

