

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

FILED/ACCEPTED  
JAN 14 2008  
Federal Communications Commission  
Office of the Secretary

In the Matter of )  
 )  
Amendment of Section 73.202(b) ) MM Docket No. 07-296  
Table of Allotments, ) RM-11412  
FM Broadcast Stations )  
(Irvington, Kentucky and French Lick, )  
Indiana) )

To: Marlene H. Dortch, Secretary, Federal Communications Commission  
To the Attention of Chief, Media Bureau

**COMMENTS**

L. Dean Spencer (the "Petitioner"), pursuant to the January 11, 2008 *Notice of Proposed Rule Making* (DA-08-69), by his attorneys, hereby submits his Comments in this proceeding.

Petitioner incorporates by reference the information submitted in his October 10, 2007 Petition for Rule Making requesting that Section 73.202(b) of the Commission's rules, the FM Table of Allotments, be amended as follows:

<u>Community</u>	<u>Existing</u>	<u>Proposed</u>
Irvington, KY	---	261A <sup>1</sup>
French Lick, IN	261A	229A <sup>2</sup>

Provided that Channel 261A is allotted to Irvington, the Petitioner will continue the prosecution of his Irvington FCC Form 301 Application (FCC File No. BNPH-

<sup>1</sup> The proposed reference coordinates of Channel 261A at Irvington, Kentucky are 37° 56' 52" North Latitude, 86° 24' 54" West Longitude.

<sup>2</sup> WFLQ(FM) is currently licensed to FM Channel 261A at French Lick, Indiana. A substitution of channels from Channel 261A to Channel 229A is requested at the licensed transmitter site of WFLQ(FM) which is located at 38° 35' 41" North Latitude, 86° 36' 48" West Longitude.

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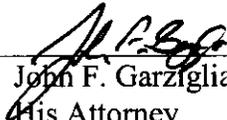
20071010ACC) and, if awarded a construction permit, build the station promptly.

Petitioner restates that, provided his construction permit application is granted, he will reimburse the WFLQ licensee for its reasonable expenses in changing channels pursuant to the Commission's guidelines set forth in *Circleville, Ohio*, 8 FCC 2d 159 (1967).

Accordingly, L. Dean Spencer respectfully requests that the Commission allot Channel 261A to Irvington, Kentucky, and substitute Channel 229A for Channel 261A at French Lick, Indiana.

Respectfully submitted,

**L. DEAN SPENCER**

By:   
John F. Garziglia  
His Attorney

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January 14, 2008

**CERTIFICATE OF SERVICE**

I, John F. Garziglia, hereby certify that on this 14<sup>th</sup> day of January, 2008, a copy of the foregoing "Comments" was sent via U.S. Mail, postage prepaid, to the following:

\*Victoria M. McCauley  
Audio Division, Media Bureau  
Federal Communications Commission  
Room 2-A232  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

William G. Willis  
Willtronics Broadcasting  
P.O. Box 100  
French Lick, IN 47432  
(Licensee of WFLQ, French Lick, IN)

  
John F. Garziglia

\* Via Hand Delivery