

Received & Indexed
JAN 14 2008
FCC Mail Room

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

ORIGINAL

In re Amendment of Section 73.202(b))	
of the Commission's Rules, Table of Allotments,)	
FM Broadcast Stations)	
)	
(CROSS PLAINS ET AL., TEXAS))	MB Docket No. 04-348,
)	RM-10718, RM-111543,
)	RM-11154
)	
(BERTRAM, TEXAS))	MB Docket No. 04-407
)	RM-11106

To: The Office of the Secretary,
for the Attention of the Assistant Chief, Audio Division, Media Bureau

WITHDRAWAL OF COUNTERPROPOSAL

Munbilla Broadcasting Properties, Ltd. (*MPBL*), and Munbilla Fort Hood, Ltd. (*MFHL*),
by their communications counsel, hereby withdraw the Counterproposal originally filed by
MBPL in this proceeding.

I. BACKGROUND

1. Charles Crawford filed a Petition for Rule Making seeking the allotment of
Channel 294A to Cross Plains, Texas. This prompted the Media Bureau to issue a Notice of
Proposed Rule Making, 19 FCC Rcd 17452, 69 Fed. Reg. 55547 (2004) (the *NPRM*).

2. On October 25, 2004, MBPL lodged a timely Counterproposal in this proceeding. By
means of its Public Notice, Report No. 2692 (released February 3, 2005), the Commission
announced that its had accepted MBPL's Counterproposal for rule making and had assigned to
MBPL's Counterproposal the reference number RM-11153.

No. of Copies rec'd 054
LIR ARCADE

3. MBPL's Counterproposal comprised the following elements:

- a. MBPL sought the allotment of Channel 293A to the community of Granite Shoals, Texas as a first local service; and
- b. to accommodate the allotment of Channel 293A to Granite Shoals, MBPL sought the substitution of Channel 284C3 for vacant Channel 293C3 at Llano, Texas; and
- c. to accommodate the substitution at Llano, MBPL sought the substitution of Channel 252A for vacant Channel 284A at Junction, Texas; and
- d. to further accommodate the substitution at Llano, MBPL sought the substitution of Channel 295A for vacant Channel 284A at Blanket, Texas; and finally,
- e. MBPL sought the reallocation of Channel 295A from Burnet, Texas, to Kempner, Texas as a first local service, and a concomitant modification of the license then held by MBPL for station KHLB, Channel 295A, FCC Facility ID No. 34948 (the *Station*).¹

4. On July 19, 2007, MBPL filed an FCC Form 316 application proposing to assign the Station to MFHL. See FCC File No. BALH-20070719ABG.² The Commission granted the *pro forma* assignment application on July 25, 2007. MBPL and MFHL promptly consummated the assignment and notified the Commission of the consummation. MFHL is thus MBPL's successor-in-interest with regard to element (e) of the Counterproposal, described above.

5. As a result of the Report and Order in MB Docket No. 05-210, 71 Fed. Reg. 76208 (2006), it became possible for a broadcast radio station to propose a change in its community of license by means of a Minor-Change Construction Permit application, if the proposed facility would be mutually exclusive with the licensed facility, and if such a change in community of license resulted in a preferential arrangement of allotments, as measured against the FM

¹The Station's call letters have since changed to KHLE(FM).

²A Form 316 *pro forma* assignment application was appropriate because both MBPL and MFHL were and are under common, positive control.

allotment priorities set forth in Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982). Such applications are subject to the first-come, first-serve processing regime.

6. MFHL has determined that it can advance the relicensing of the Station to Kempner by means of such a one-step application. In light of the fact that MB Docket No. 04-348 remains unresolved, MFHL has elected to file such an application to advance the Station's relicensing more expeditiously. Further, MBPL has decided to withdraw its request for the allotment of Channel 293A to the community of Granite Shoals due to changes in the economy and the market structure within which such a facility would exist. To enable the Commission to conserve its scarce processing resources, MBPL and MFHL are therefore withdrawing the Counterproposal originally filed by MBPL in MB Docket No. 04-348.

7. Neither MBPL nor MFHL have received or been promised any consideration for withdrawing the Counterproposal. See Exhibits A and B hereto.

[THE REST OF THIS PAGE IS INTENTIONALLY BLANK.]

CONCLUSION

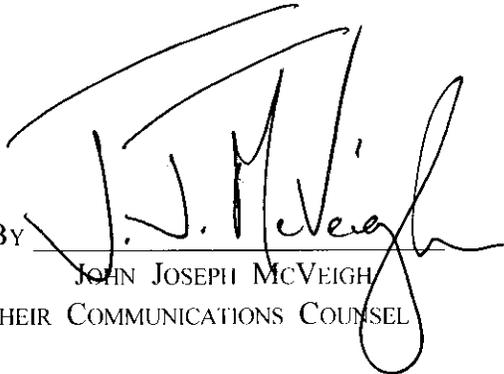
8. On MBPL's and MFHL's own initiative, and at their own volition, they are withdrawing the Counterproposal originally filed by MBPL in this proceeding.

Respectfully submitted,

MUNBILLA BROADCASTING PROPERTIES, LTD.

AND

MUNBILLA FORT HOOD, LTD.

BY 
JOHN JOSEPH McVEIGH
THEIR COMMUNICATIONS COUNSEL

JOHN JOSEPH McVEIGH, ATTORNEY AT LAW
16230 FALLS ROAD, P.O. BOX 128
BUTLER, MARYLAND 21023-0128
TELEPHONE: 443.507.5611

DATE: JANUARY 14, 2008

EXHIBIT A

DECLARATION OF MUNBILLA BROADCAST PROPERTIES, LTD.

MUNBILLA BROADCAST PROPERTIES, LTD. (MBPL), by the President of its sole General Partner, hereby declares that neither it nor any other party has been promised, or will receive, any consideration in return for the withdrawal of the Counterproposal originally filed by MBPL in MB Docket No. 04-348. There are no agreements, written or oral, concerning such withdrawal.

The foregoing is true and correct, to the best of MBPL's knowledge, information, and belief, under penalty of perjury.

MUNBILLA BROADCASTING PROPERTIES, LTD.

BY

MUNBILLA BROADCASTING SERVICES, LLC

ITS SOLE GENERAL PARTNER

BY


B. SHANE FOX

ITS PRESIDENT

DATE: JANUARY 10, 2008

EXHIBIT B

DECLARATION OF MUNBILLA FORT HOOD, LTD.

MUNBILLA FORT HOOD, LTD. (MFHL), by the President of its sole General Partner, hereby declares that neither it nor any other party has been promised, or will receive, any consideration in return for the withdrawal of the Counterproposal originally filed by MUNBILLA BROADCAST PROPERTIES, LTD. (MBPL), MFHL's predecessor-in-interest with respect to station KHLE (formerly KHLB), in MB Docket No. 04-348. There are no agreements, written or oral, concerning such withdrawal.

The foregoing is true and correct, to the best of MFHL's knowledge, information, and belief, under penalty of perjury.

MUNBILLA FORT HOOD, LTD.

BY

MUNBILLA BROADCASTING SERVICES, LLC

ITS SOLE GENERAL PARTNER

BY


B. SHANE FOX

ITS PRESIDENT

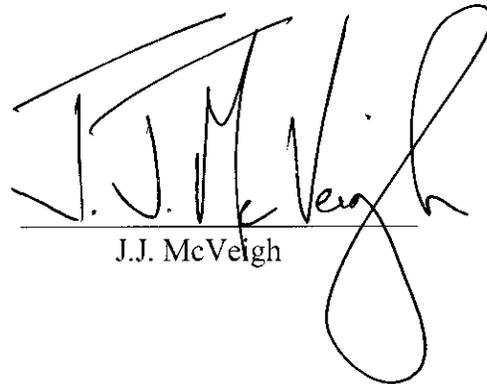
DATE: JANUARY 10, 2008

CERTIFICATE OF SERVICE

I hereby certify that I have sent a copy of the foregoing **WITHDRAWAL OF
COUNTERPROPOSAL**, by first-class United States mail, postage prepaid, to:

Charles Crawford
4553 Bordeaux Avenue
Dallas, Texas 75205

Gene A. Bechtel, Esq.
Law Office of Gene Bechtel
1050 Seventeenth Street, N.W., Suite 600
Washington, D.C. 20036



J.J. McVeigh