

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

In the Matter of )

)  
Amendment of Section 73.202(b), )  
FM Table of Allotments, )  
FM Broadcast Stations. )  
(Crowell, Knox City, Rule, and Quanah, Texas)

MB Docket No. \_\_\_\_\_  
RM- \_\_\_\_\_

To: Office of the Secretary  
Attn: Chief, Audio Division

FILED/ACCEPTED  
APR - 2 2008  
Federal Communications Commission  
Office of the Secretary

PETITION FOR RULE MAKING

LKCM Radio Licenses, L.P. ("LKCM"), licensee of Stations KFWR(FM), Mineral Wells, Texas and KKAJ-FM, Ardmore, Oklahoma, Fort Worth Media Group G.P., LLC ("Fort Worth"), licensee of Station KYBE(FM), Frederick, Oklahoma, and Hunt Broadcasting, Inc. ("Hunt"), licensee of Station KJKB(FM), Jacksboro, Texas (together, the "Joint Parties") hereby submit this Petition for Rule Making. In simultaneously filed contingent applications, the Joint Parties are filing to (i) change the class of channel and community of license of Station KJKB from Channel 238A at Jacksboro, Texas to Channel 238C3 at Scotland, Texas, as that community's first local service (ii) change the class of channel and community of license of Station KFWR from Channel 240C1 at Mineral Wells, Texas to Channel 240C0 at Jacksboro, Texas, (iii) change the class of channel and community of license of Station KKAJ-FM from Channel 239C1 at Ardmore, Oklahoma to Channel 239C2 at Davis, Oklahoma, as that community's first local service and (iv) change channel and class of channel of Station KYBE from Channel 240A to Channel 239C3 at Frederick, Oklahoma. In order to accomplish these

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changes, channel substitutions are necessary at Rule, Knox City, Crowell, and Quanah, Texas.<sup>1</sup>

In support hereof, the Joint Parties state as follows.

1. As discussed above, the instant Petition is part of a hybrid with four contingent applications.<sup>2</sup> Thus, the benefits of the proposal as a whole must be weighed against any public interest deficiencies under the *FM Assignment Policies*.<sup>3</sup> Thus, the benefits offered by this hybrid filing are first local services at Scotland, Texas and Davis, Oklahoma (as proposed in the KJKB and KKAJ-FM applications, respectively) against the loss of service at Mineral Wells and Ardmore (as proposed in the KFWR and KKAJ-FM applications, respectively).<sup>4</sup> The provision of first local services at Scotland (2000 U.S. Census population 438) and Davis (2000 U.S. Census population 2,610) under Priority 3 will result in a preferential arrangement of allotments over the retention of a second local service at Mineral Wells (2000 U.S. Census population 16,946) and the retention of a fourth local service at Ardmore, Oklahoma (2000 U.S. Census population 23,711) under Priority 4. Thus, the this proposal as a whole serves the public interest.

2. In order to allot Channel 240C0 to Jacksboro and Channel 239C3 to Frederick, the Joint Parties request that the Commission change the channel of the vacant allotment at Rule, Texas from Channel 239C2 to Channel 288C2. As demonstrated in the attached Engineering Statement, Channel 288C2 can be allotted to Rule consistent with Section 73.207 of the

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<sup>1</sup> Pursuant to the Commission's new allotment procedures, "changes to vacant allotments will continue to be made via notice-and-comment rule making procedures." See *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, 21 FCC Rcd 14212, ¶ 15 (2006). Thus, this proposal is considered a hybrid filing. *Id.* at ¶ 17.

<sup>2</sup> Collectively, these changes along with the changes proposed in the contingent applications comply with Section 73.3517(e) of the Commission's rules because the changes proposed in the Petition for Rule Making do not "count toward the four-application limit." *Id.*

<sup>3</sup> See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982) ("*FM Assignment Policies*").

<sup>4</sup> All other communities will retain the same number of local services no white or gray area will be created or served.

Commission's Rules except for a short-spacing to vacant Channel 291A at Knox City, Texas.<sup>5</sup>

The change to this vacant channel is discussed below. A 70 dBu signal can be provided to Rule from the proposed reference coordinates. The proposal will result in a net gain of service to 2,177 persons and will move the allotment 6.1 kilometers closer to Rule.

3. In order to allot Channel 288C2 to Rule, Texas, the Joint Parties request that the Commission change the channel of the vacant allotment at Knox City, Texas from Channel 291A to Channel 293A. As demonstrated in the attached Engineering Statement, Channel 293A can be allotted to Knox City consistent with Section 73.207 of the Commission's Rules except for a short-spacing to vacant Channel 293A at Crowell, Texas.<sup>6</sup> The change to this vacant channel is discussed below. A 70 dBu signal can be provided to Knox City from the proposed reference coordinates.

4. In order to allot Channel 293A at Knox City, Texas, the Joint Parties request that the Commission change the channel of the vacant allotment at Crowell, Texas from Channel 293C3 to Channel 255C3. As demonstrated in the attached Engineering Statement, Channel 255C3 can be allotted to Crowell consistent with Section 73.207 of the Commission's Rules except for a short-spacing to vacant Channel 255C3 at Quanah, Texas. The change to this vacant channel is discussed below. A 70 dBu signal can be provided to Crowell from the proposed reference coordinates. The proposal will result in a net gain of service to 1,896 persons and will move the allotment 1.5 kilometers closer to Crowell.

5. In order to allot Channel 255C3 at Crowell, Texas, the Joint Parties request that the Commission change the channel of the vacant allotment at Quanah, Texas from Channel

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<sup>5</sup> The channel study also reveals a short spacing to a proposal to add Channel 288C2 at Rule, Texas. This proposal was filed by LKCM in MB Docket No. 06-11 and is simultaneously being dismissed.

<sup>6</sup> The channel study also reveals a short spacing to a proposal to add Channel 293A at Knox City, Texas. This proposal was filed by LKCM in MB Docket No. 06-11 and is simultaneously being dismissed.

255C3 to Channel 251C3. As demonstrated in the attached Engineering Statement, Channel 251C3 can be allotted to Quanah consistent with Section 73.207 of the Commission's Rules. A 70 dBu signal can be provided to Quanah from the proposed reference coordinates. The proposal will result in a net gain of service to 3,335 persons and will move the allotment 3 kilometers closer to Quanah.

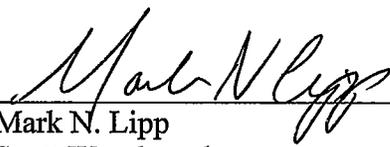
For the foregoing reasons, the Joint Parties respectfully request that the Commission (i) grant the concurrently filed Form 301 applications to change the facilities of KFWR, KJKB, KYBE, and KKAJ-FM and (ii) change the channel of the vacant allotments at Rule, Knox City, Crowell, and Quanah, Texas as proposed herein. This will result in the provision of first local services to the communities of Scotland, Texas and Davis, Oklahoma. In addition, the channel changes proposed herein will move three of the four channels closer to the respective communities and provide additional 60 dBu service.

Respectfully submitted,

LKCM RADIO LICENSES, L.P.

FORT WORTH MEDIA GROUP G.P., LLC

HUNT BROADCASTING, INC.

By: 

Mark N. Lipp  
Scott Woodworth

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Its Attorneys

April 2, 2008

**EXHIBIT E – ENGINEERING STATEMENT**

**for**  
**LKCM RADIO LICENSES, L.P.**  
**FORT WORTH MEDIA GROUP GP, LLC**  
**HUNT BROADCASTING, INC.**

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## **Engineering Narrative**

This Petition for Rule Making proposes the modification of (1) the vacant allotment at Rule, Texas, from Channel 239C2 to Channel 288C2 with new allotment coordinates, (2) the vacant allotment at Knox City, Texas, from Channel 291A to Channel 293A, (3) the vacant allotment at Crowell, Texas, from Channel 293C3 to Channel 255C3, with new allotment coordinates, and (4) the vacant allotment at Quanah, Texas, from Channel 255C3 to Channel 251C3, with new allotment coordinates.

A spacing study has been performed for each allotment change. The studies conclude that the changes detailed in the following table can be made in compliance with the FCC's rules and policies.

**Table 1: Proposed Change Table**

Community of License	Channel/Class		Reference Point		Distance from Community Reference Point-kM	
	Current	Proposed	Current	Proposed	Current	Proposed
Rule, TX	239C2	288C2	33n13'1' by 99w45'45'	33n10'29' by 99w49'26'	12.7	6.6
Knox City, TX	291A	293A	33n25'55' by 99w47'43'	33n25'55' by 99w47'43'	2.7	2.7
Crowell, TX	293C3	255C3	34n1'11' by 99w49'53'	34n03'58' by 99w43'52'	10.7	9.1
Quanah, TX	255C3	251C3	34n10'04' by 99w46'49'	34n24'09' by 99w46'02'	14.9	11.9

The following gains and losses in 60 dBu areas and 60 dBu populations served will result from the changes:

**Table 2: Gain and Loss Table**

Report Callsign or Description	Number	FCC FAC- ID	Community of License	Gain		Loss		Net Gain	
				Population	Area Sq. km	Population	Area Sq. km	Population	Area Sq. km
Allotment	3		Rule, TX	3,171	773.5	994	773.5	2,177	0.0
Allotment	4		Knox City, TX	0	0.0	0	0.0	0	0.0
Allotment	5		Crowell, TX	1,998	825.3	102	825.3	1,896	0.0
Allotment	6		Quanah, TX	5,252	1,997.4	3,335	1,997.4	1,917	0.0
				<b>Totals</b>					
				10,421	3,596	4,431	3,596	5,990	0

## **Methodology**

### **Spacing Studies**

Standard methodology was used to complete the spacing studies. Current FM allotment, application and licensed facilities records were downloaded from CDBS on March 7, 2008. The distance to each of these records from the proposed reference point were calculated in accordance with the procedures in Section 73.208(c) of the Commission's rules. These distances were compared to the required distances prescribed in Section 73.207(b)(1) of the rules, and the results of this comparison were tabulated in the traditional manner. Where further research or analysis was required to resolve apparent short-spacings, that information is noted in bold type. These studies are reported as Study (#) where # is the local report number as shown in the table entitled Gain and Loss Table (above).

### **Gain Loss Studies**

The gain/loss were performed utilizing rfInvestigator 3.2.71 with the 2000 Census data formatted and provided by rfSoftware.

Gain and Loss areas were determined by comparing the 60 dBu protected service contours of the proposed facilities. Maximum height and power was used for all classes of stations Terrain was not considered to be a factor in any calculation so that the resulting contour is a circle in all cases.

Utilizing the demographic counting feature of rfInvestigator, which is a centroid based

system, the population for each facility or allotment was determined as well as the population for the area where the existing and proposed allotments or facilities overlap. Subtracting the population in the overlap area from the population for each existing station or allotment and each proposed station or allotment yielded the population gain and loss totals. The gain and loss areas were calculated in a similar manner. The results of these studies are shown in figures labeled Figure (#)GL where # is the local report number as shown in the table entitled Population and Area Gain and Loss Summary (above).

## **Certification**

This engineering exhibit was prepared by the undersigned officer LKCM Radio Group, LP.  
The studies and conclusions are true and correct to the best of my knowledge and belief.

March 13, 2008

Kevin Prigel  
LKCM Radio Group, LP  
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Fort Worth, TX 76102

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Rule, Texas

Exhibit E, Study 3  
Proposed Rule, Texas Allotment Study

\*\*\*\*\* FM Channel Spacing Study from CDBS \*\*\*\*\*

CDBS Database Date Mar 7, 2008

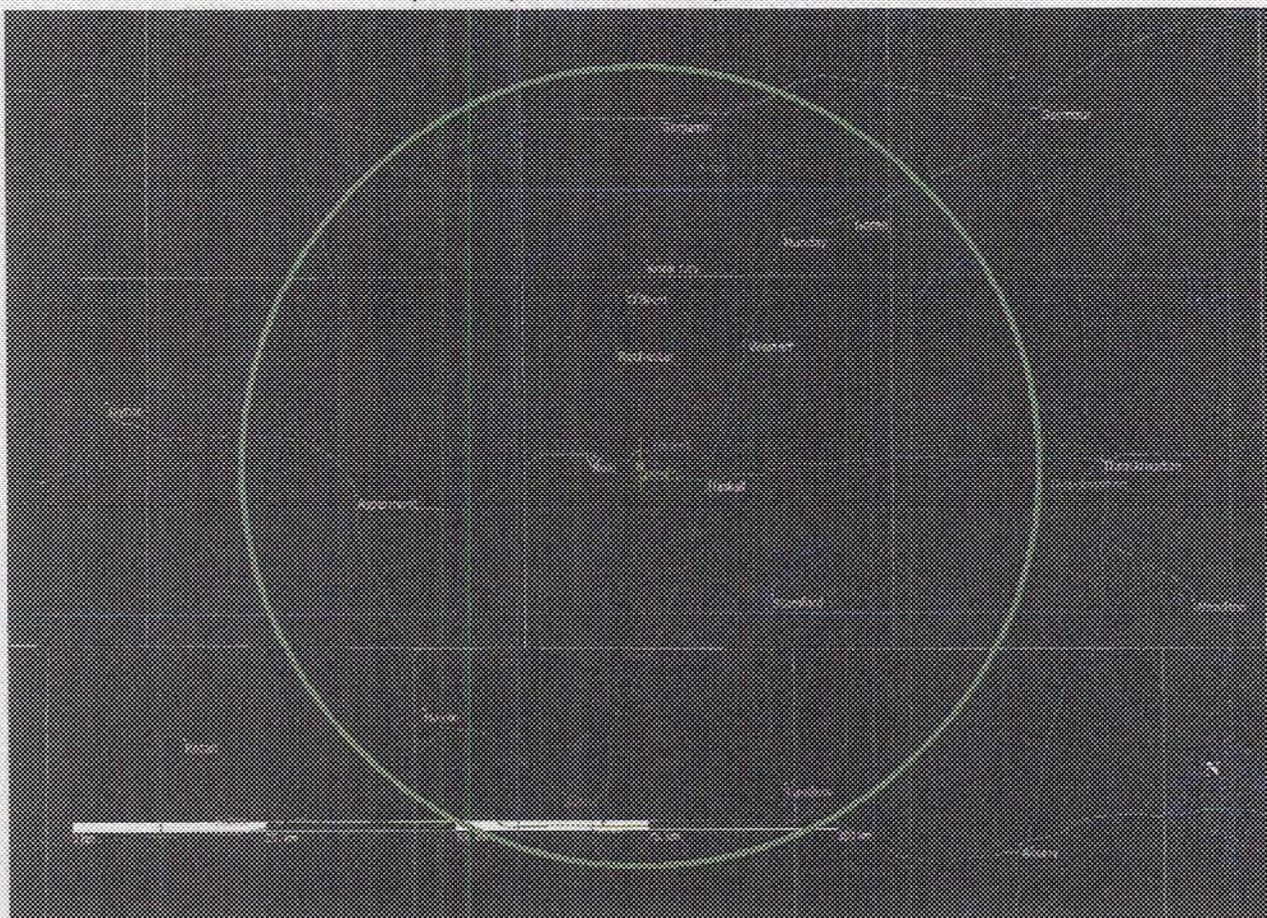
Use pre-1989 Class A Spacings: NO

All distances are in km, all bearings are in degrees referenced to true North. Proposed Coordinates: 33°N 10' 29" X 99°W 49' 26"

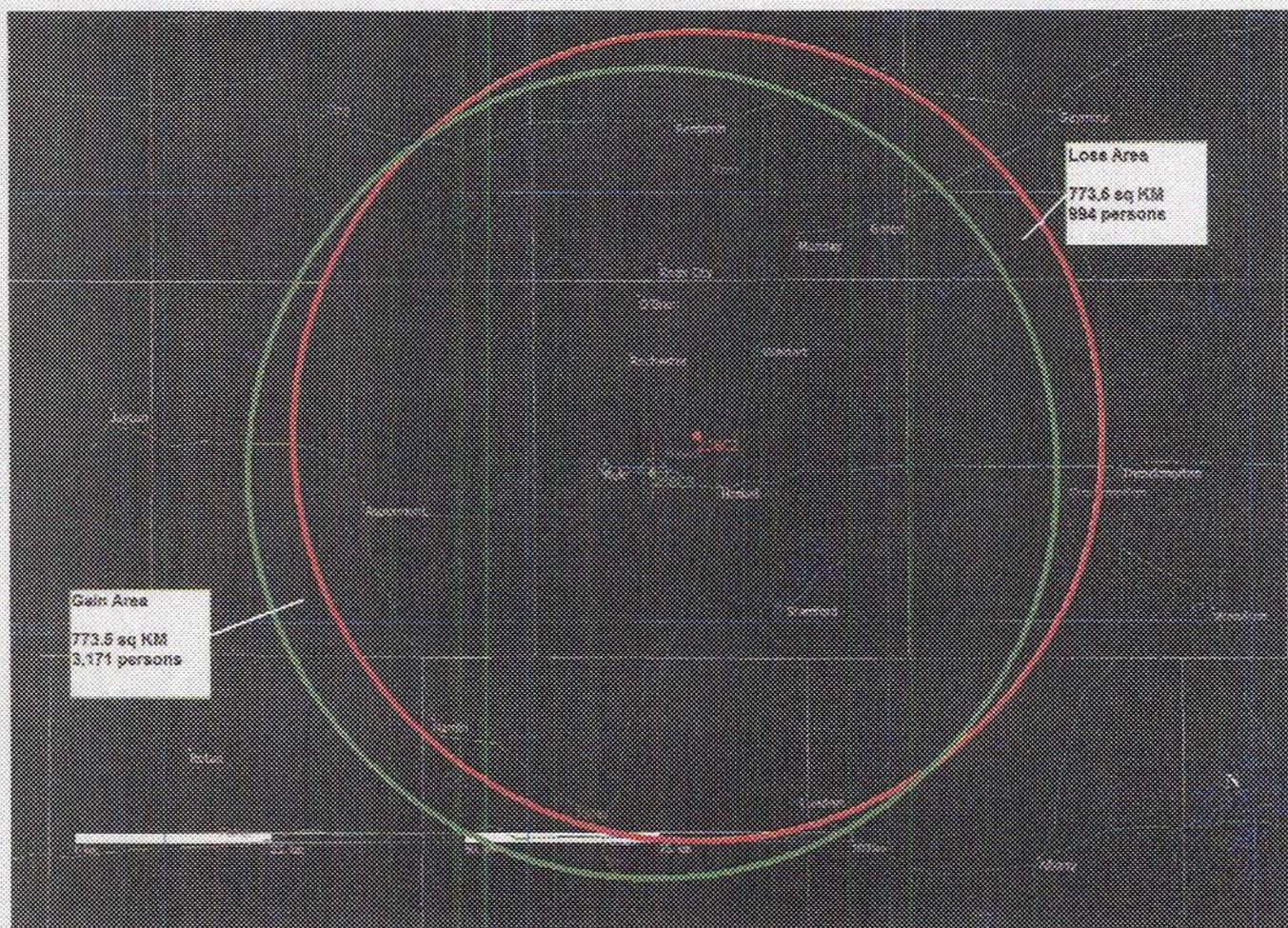
Proposed Channel: 288C2 [105.5 MHz]

Channel	Class	Callsign	Status	State	City	Distance	Bearing	Min Sep	Clearance
288 : 105.5 MHz	C2	STAT:ADD	ADD	TX	RULE	7.40	231	190	(182.60)
The proposed rule making for Rule, TX has been withdrawn.									
INSTANT RULE MAKING									
291 : 106.1 MHz	A	PROPOSAL	VAC	TX	KNOX CITY	24.04	353	55	(30.96)
Instant Rule Making Proposal - Substitute Channel 293A									
288 : 105.5 MHz	C3	KBWT	CP	TX	SANTA ANNA	179.76	162	177	2.76
288 : 105.5 MHz	A	KWDC	LIC	TX	COAHOMA	174.36	237	166	8.36
289 : 105.7 MHz	C	KRNB	LIC	TX	DECATUR	205.46	85	188	17.46
290 : 105.9 MHz	A	STAT:VAC	VAC	TX	ROTAN	77.13	238	55	22.13
286 : 105.1 MHz	C1	KEAN-FM	LIC	TX	ABILENE	105.49	171	79	26.49
287 : 105.3 MHz	C1	KLSR-FM	LIC	TX	MEMPHIS	198.99	337	158	40.99
289 : 105.7 MHz	A	STAT:VAC	VAC	TX	ROBERT LEE	147.57	205	106	41.57

Rule, TX  
Exhibit E, Figure 3A  
Proposed City of License Coverage, Channel 288C2



Rule, TX  
Exhibit E, Figure 3GL, Gain/Loss



Knox City, Texas

Exhibit E, Study 4  
Proposed Knox City, TX Allotment Study

\*\*\*\*\* FM Channel Spacing Study from CDBS \*\*\*\*\*

CDBS Database Date Mar 7, 2008

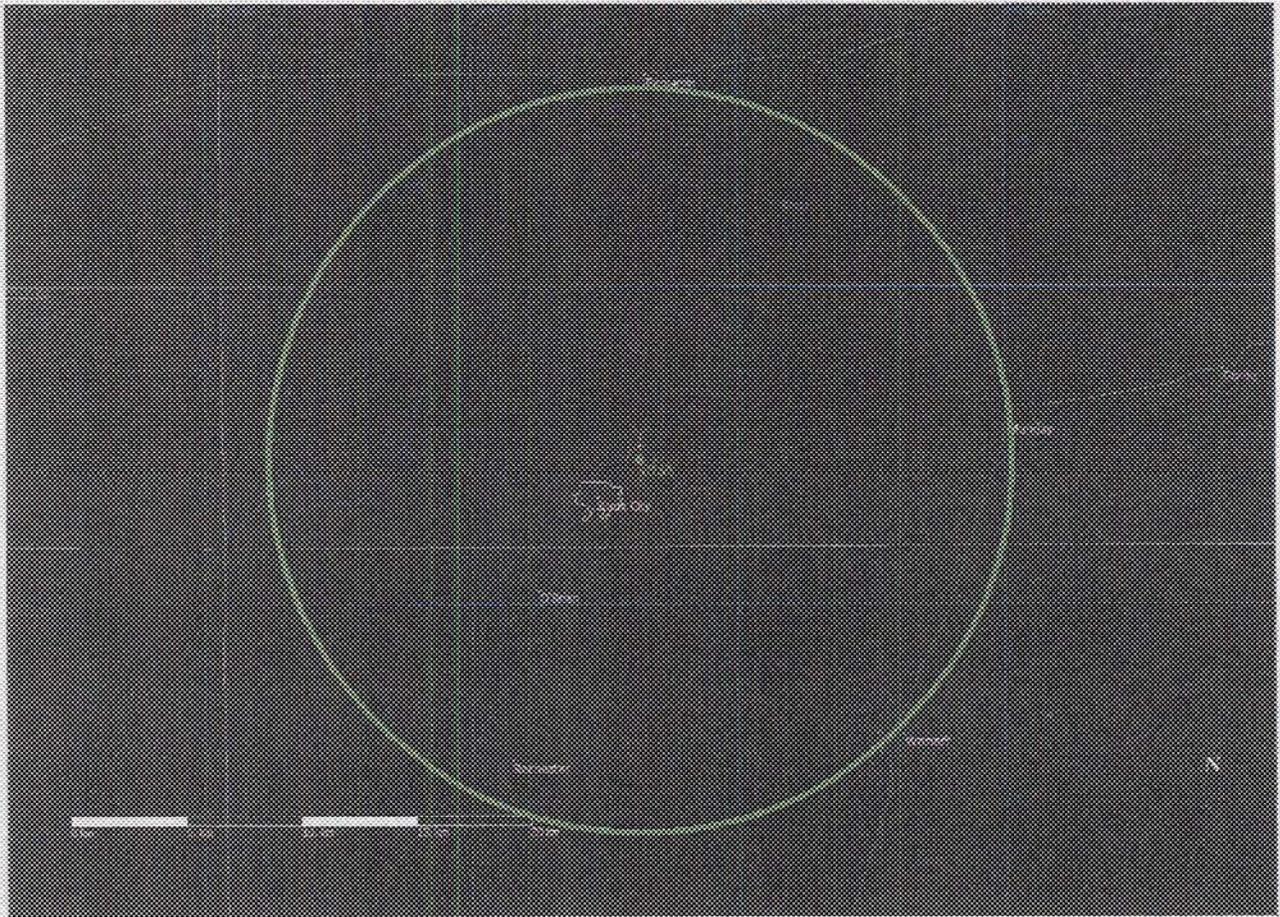
Use pre-1989 Class A Spacings: NO

All distances are in kM, all bearings are in degrees referenced to true North. Proposed Coordinates: 33°N 25' 55" X 99°W 47' 43"

Proposed Channel: 293A [106.5 MHz]

Channel	Class	Callsign	Status	State	City	Distance	Bearing	Min Sep	Clearance
293 : 106.5 MHz	A	STAT:ADD	ADD	TX	KNOX CITY	0.0	0	115	(115.0)
The proposed rule making for Knox City, TX has been dismissed.									
293 : 106.5 MHz	C3	STAT:VAC	VAC	TX	CROWELL	65.3	357	142	(76.7)
Instant rule making proposal, substitute channel 255C3 with new reference coordinates.									
291 : 106.1 MHz	A	STAT:VAC	VAC	TX	KNOX CITY	0.0	0	31	(31.0)
Instant rule making proposal, substitute channel 293A.									
292 : 106.3 MHz	C2	KKHR	LIC	TX	ABILENE	106.3	176	106	0.3
295 : 106.9 MHz	C2	KJTZ	LIC	TX	STAMFORD	56.8	195	55	1.8
239 : 95.7 MHz	C2	STAT:VAC	VAC	TX	RULE	24.0	173	15	9.0
292 : 106.3 MHz	C2	KBZS	LIC	TX	WICHITA FALLS	124.5	66	106	18.5
294 : 106.7 MHz	A	STAT:VAC	VAC	TX	DICKENS	92.8	287	72	20.8
293 : 106.5 MHz	C2	KEJS	LIC	TX	LUBBOCK	193.2	272	166	27.2
294 : 106.7 MHz	A	KZZA	LIC	TX	MUENSTER	214.9	90	165	49.9
290 : 105.9 MHz	A	STAT:VAC	VAC	TX	ROTAN	89.7	224	31	58.7
290 : 105.9 MHz	C*	KQTZ	LIC	OK	HOBART	166.2	16	95	71.2
294 : 106.7 MHz	A	STAT:ADD	ADD	TX	CROSS PLAINS	153.1	163	72	81.1
292 : 106.3 MHz	A	STAT:VAC	VAC	TX	MEMPHIS	158.8	335	72	86.8
240 : 95.9 MHz	A	STAT:VAC	VAC	TX	DICKENS	99.0	282	10	89.0
294 : 106.7 MHz	DX	20030317KHI	APP	TX	VERNON	94.4	25	0	94.4

Knox City, TX  
Exhibit E, Figure 4A  
Proposed City of License Coverage, Channel 293A



**Crowell, Texas**

**Exhibit E, Study 5  
Proposed Crowell, Texas Allotment Study**

**\*\*\*\*\* FM Channel Spacing Study from CDBS \*\*\*\*\***

CDBS Database Date Mar 7, 2008

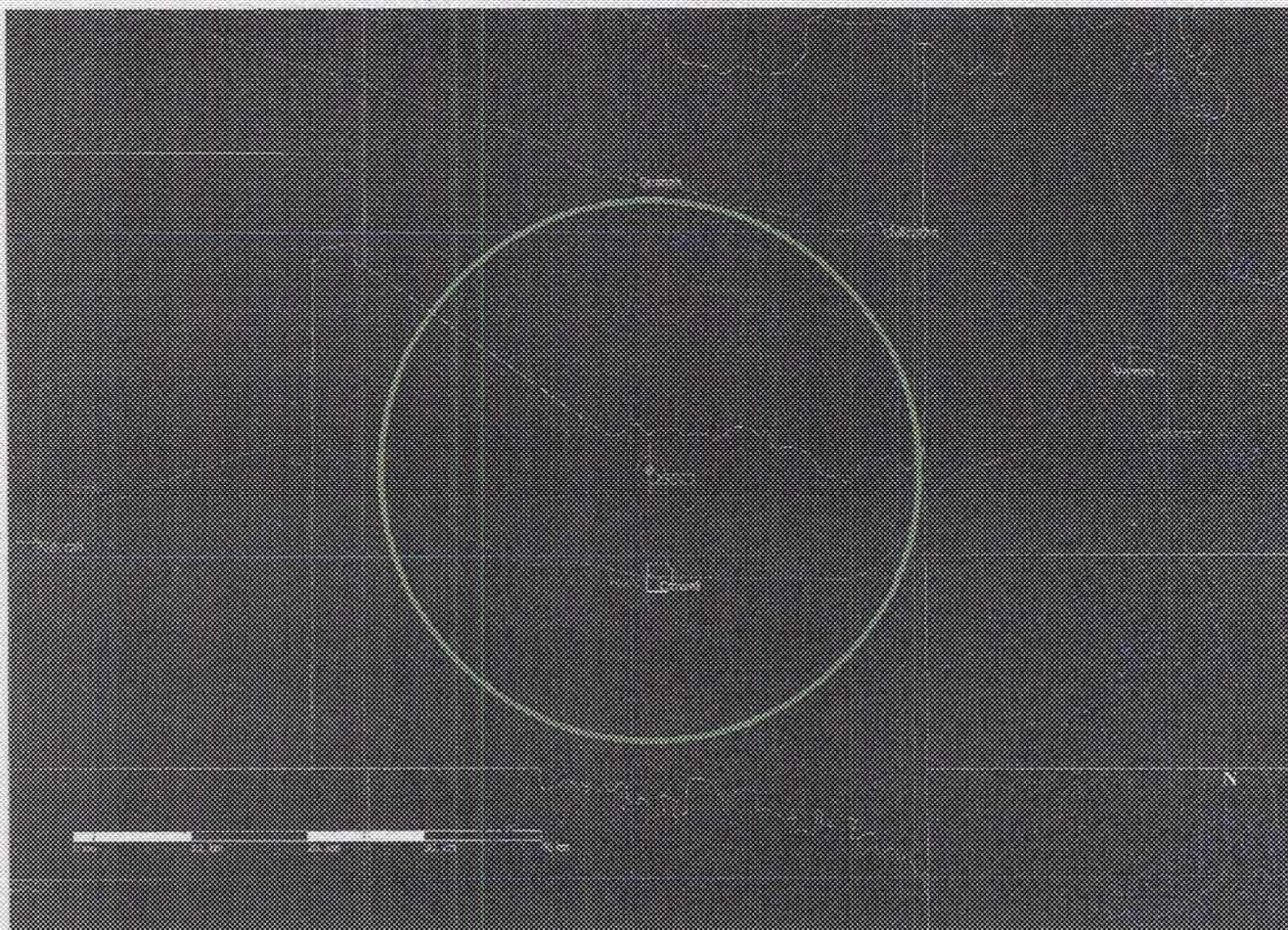
Use pre-1989 Class A Spacings: NO

All distances are in KM, all bearings are in degrees referenced to true North. Proposed Coordinates: 34°N 03' 58" X 99°W 43' 52"

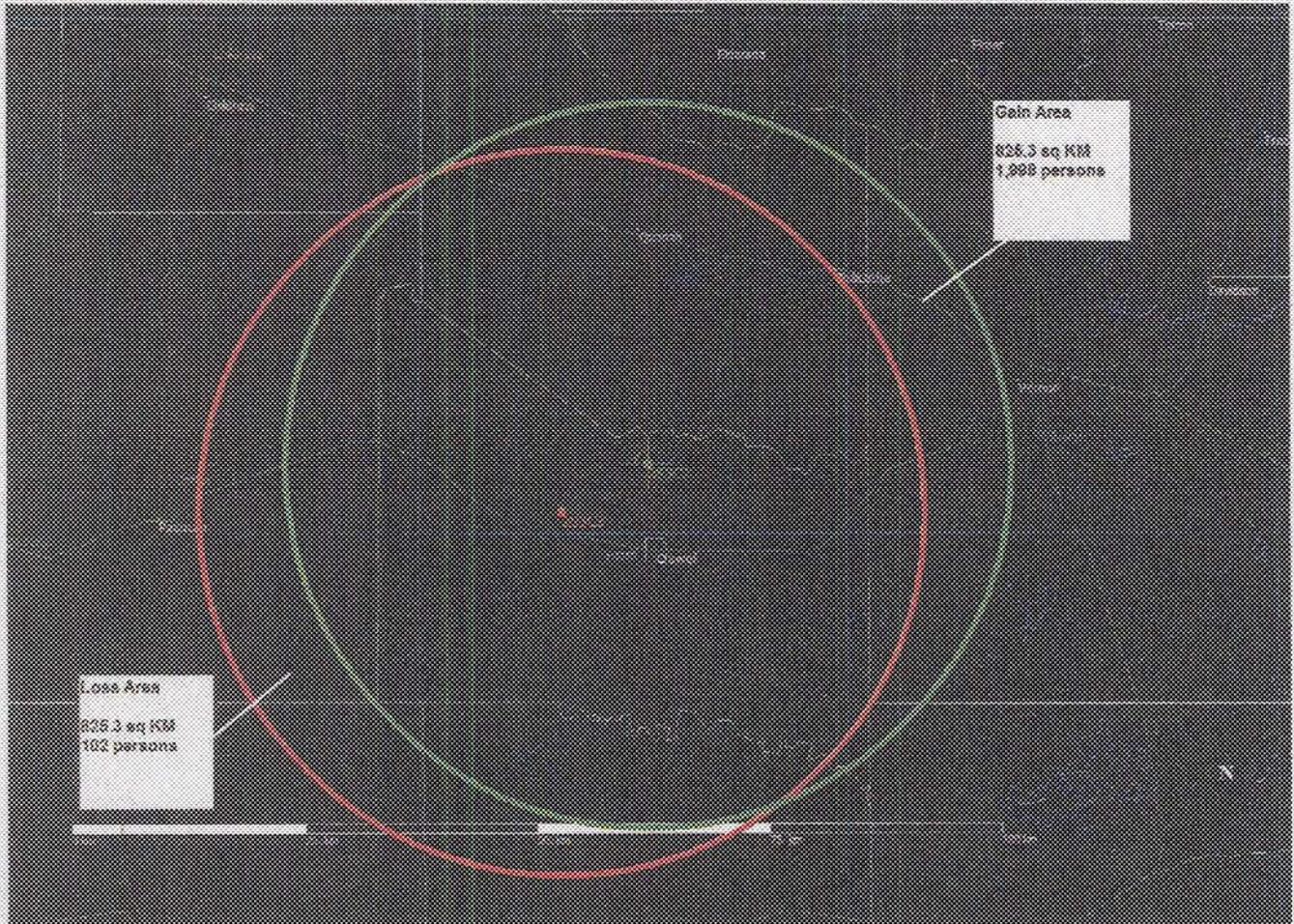
Proposed Channel: 255C3 [98.9 MHz]

Channel	Class	Callsign	Status	State	City	Distance	Bearing	Min Sep	Clearance
255 : 98.9 MHz	C3	STAT:VAC	VAC	TX	QUANAH	12.2	338	153	(140.8)
<b>Instant Rule Making Proposal – Substitute Channel 251C3</b>									
255 : 98.9 MHz	C3	STAT:ADD	ADD	TX	QUANAH	25.7	358	153	(127.3)
<b>The proposed rule making for Quanah, TX was dismissed. [DA-031533, May 8, 2003]</b>									
255 : 98.9 MHz	C3	KNOS	CP MOD	TX	ALBANY	153.0	169	153	0.0
255 : 98.9 MHz	A	STAT:VAC	VAC	TX	FLOYDADA	145.7	268	142	3.7
254 : 98.7 MHz	A	KZAM	CP MOD	TX	PLEASANT VALLEY	99.8	96	89	10.8
255 : 98.9 MHz	C	KYIS	LIC	OK	OKLAHOMA CITY	264.0	51	237	27.0
254 : 98.7 MHz	DX	K254BJ	LIC	TX	QUANAH	28.9	2	0	28.9
257 : 99.3 MHz	A	STAT:ADD	ADD	TX	KNOX CITY	72.2	176	42	30.2
252 : 98.3 MHz	A	STAT:VAC	VAC	TX	GUTHRIE	73.6	236	42	31.6
254 : 98.7 MHz	A	STAT:VAC	VAC	TX	SPUR	123.4	238	89	34.4
256 : 99.1 MHz	C*	KFZO	LIC	TX	DENTON	214.4	110	176	38.4
255 : 98.9 MHz	A	STAT:RSV	RSV	TX	SNYDER	181.6	217	142	39.6
255 : 98.9 MHz	A	KLYD	LIC	TX	SNYDER	181.6	217	142	39.6
257 : 99.3 MHz	DX	K257EU	LIC	TX	CHILDRESS	55.0	311	0	55.0

Crowell, TX  
Exhibit E, Figure 5A  
Proposed City of License Coverage, Channel 255C3



Crowell, TX  
Exhibit E, Figure 5GL, Gain/Loss



Quanah, Texas

Exhibit E, Study 6  
Proposed Quanah, Texas Allotment Study

\*\*\*\*\* FM Channel Spacing Study from CDBS \*\*\*\*\*

CDBS Database Date Mar 7, 2008

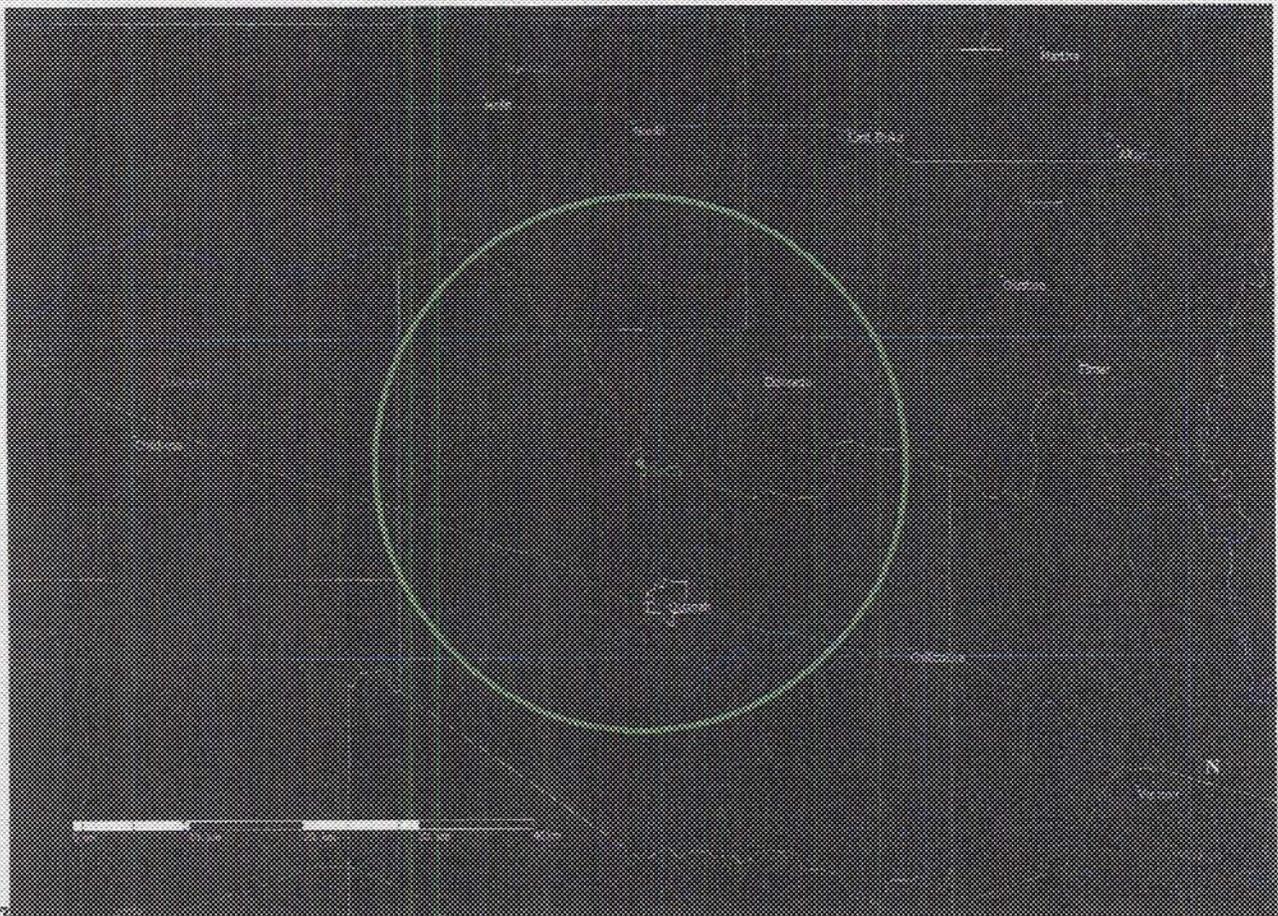
Use pre-1989 Class A Spacings: NO

All distances are in km, all bearings are in degrees referenced to true North. Proposed Coordinates: 34°N 24' 09" X 99°W 46' 02"

Proposed Channel: 251C3 [98.1 MHz]

Channel	Class	Callsign	Status	State	City	Distance	Bearing	Min Sep	Clearance
248 : 97.5 MHz	C3	STAT:ADD	ADD	TX	CROWELL	43.2	177	43	0.2
<b>The proposed rule making for Crowell, TX was dismissed. [DA 06-1901, September 22, 2006]</b>									
252 : 98.3 MHz	A	STAT:VAC	VAC	TX	GUTHRIE	97.6	216	89	8.6
254 : 98.7 MHz	DX	K254BJ	LIC	TX	QUANAH	9.5	153	0	9.5
249 : 97.7 MHz	A	KHIM	LIC	OK	MANGUM	52.1	26	42	10.1
251 : 98.1 MHz	C2	KTLT	CP	TX	ANSON	193.0	182	177	16.0
251 : 98.1 MHz	C2	KTLT	LIC	TX	ANSON	193.0	182	177	16.0
250 : 97.9 MHz	A	KJMZ	LIC	OK	CACHE	113.9	79	89	24.9
253 : 98.5 MHz	C3	KXME	CP	TX	WELLINGTON	68.6	311	43	25.6
249 : 97.7 MHz	A	KHIM	CP	OK	MANGUM	71.7	27	42	29.7
251 : 98.1 MHz	C1	WWLS-FM	CP	OK	THE VILLAGE	244.8	58	211	33.8
248 : 97.5 MHz	A	STAT:VAC	VAC	TX	WELLINGTON	78.8	320	42	36.8
<b>The proposed rule making for Wellington, TX has been withdrawn.</b>									
250 : 97.9 MHz	C*	KGNC-FM	LIC	TX	AMARILLO	215.4	298	176	39.4
251 : 98.1 MHz	C2	KKCL	LIC	TX	LORENZO	216.6	243	177	39.6
251 : 98.1 MHz	DX	20030317MGL	APP	TX	CHILDRESS	40.6	277	0	40.6
252 : 98.3 MHz	A	STAT:VAC	VAC	TX	SILVERTON	133.7	273	89	44.7
251 : 98.1 MHz	DX	K251AW	LIC	TX	VERNON	48.6	123	0	48.6
249 : 97.7 MHz	A	STAT:ADD	ADD	TX	ROARING SPRINGS	100.1	241	42	58.1
252 : 98.3 MHz	C	KBOC	LIC	TX	BRIDGEPORT	236.7	117	176	60.7
248 : 97.5 MHz	C2	KRZB	CP	TX	ARCHER CITY	119.5	120	56	63.5

Quanah, TX  
Exhibit E, Figure 6A  
Proposed City of License Coverage, Channel



251C3

Quanah, TX  
Exhibit E, Figure 6GL, Gain/Loss

