

JUL 15 2008

FCC Mail Room

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket _____
Table of Allotments,)	RM- _____
FM Broadcast Stations)	
(Port Angeles, Washington))	

To: The Secretary
Attn: Chief, Audio Services Division, Media Bureau

PETITION FOR RULEMAKING

Jodesha Broadcasting, Inc. ("Jodesha"), licensee of Station KANY which operates on Channel 229C3 at Ocean Shores, Washington, and Station KSWW which operates on Channel 271C2 at Montesano, Washington, hereby petitions to amend Section 73.202(b) of the Commission's Rules to substitute Channel 271A for vacant Channel 229A at Port Angeles, Washington, so as to enable KANY to upgrade its facilities on Channel 229 to Class C0 and to change its city of license to Montesano, Washington.

This petition is being filed as a part of a hybrid application and rulemaking proposal comprised of the following elements:

1) A Form 301 minor change application filed on the date hereof to upgrade KANY from Channel 229C3 at Ocean Shores, Washington to Channel 229C0 at Montesano, Washington;

2) In order to accommodate the KANY upgrade requested in the Form 301 application, it is proposed in this rulemaking petition to substitute Channel 271A for the vacant allotment of Channel 229A at Port Angeles, Washington; and

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3) In order to accommodate the channel substitution at Port Angeles, and to ensure the continuation of local service at Ocean Shores, a Form 301 minor change application is being filed on this date to modify KSWW from Channel 271C2 at Montesano, Washington, to Channel 271C3 at Ocean Shores, Washington.

Attached hereto is an Engineering Statement which establishes that Channel 271A can be used at Port Angeles in compliance with the minimum spacing requirements to all domestic stations and allotments.¹ The Engineering Statement also shows that the allotment of Channel 271A at Port Angeles will be short spaced to three Canadian stations; however, a power restriction is proposed for the Port Angeles allotment to ensure that the 48 dBu F(50,10) contour from the proposed allotment will not overlap any Canadian land areas, including Race Rocks, the site of a lighthouse off the coast of Vancouver Island.

Respectfully submitted,

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Attorney for Jodesha
Broadcasting, Inc.

Dated: July 10, 2008

¹As noted in the attached Engineering Statement, the proposed allotment site for Channel 271C3 at Ocean Shores is fully spaced to the proposed allotment site for Channel 271A at Port Angeles.

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ENGINEERING STATEMENT

**PETITION FOR RULEMAKING TO
AMEND SECTION 73.202 OF THE RULES
AND REGULATIONS FOR THE FEDERAL
COMMUNICATIONS COMMISSION**

**TO SUBSTITUTE CHANNEL 271A FOR CHANNEL 229A
FOR USE AT PORT ANGELES, WASHINGTON**

JODESHA BROADCASTING, INC.

7/2008

Engineering Statement

This Engineering Statement has been prepared on behalf of Jodesha Broadcasting, Inc. ("Jodesha"), licensee of FM stations KANY at Ocean Shores, Washington (Facility ID #164149) and KSWW at Montesano,¹ Washington (Facility ID #60544), in support of a Petition for Rulemaking to amend §73.202 of the Commission's Rules to substitute Channel 271A for vacant Channel 229A at Port Angeles, Washington.

Hybrid Application and Rulemaking Filing

The instant proposal is being filed as a part of a hybrid application and rulemaking proposal comprised of the following elements:

- 1) A Form 301 minor change application is being filed to upgrade KANY from Channel 229C3 at Ocean Shores, Washington to Channel 229C0 at Montesano, Washington;
- 2) In order to accommodate the KANY upgrade, it is proposed herein to substitute Channel 271A for vacant Channel 229A at Port Angeles, Washington;
- 3) In order to accommodate the channel substitution at Port Angeles, and to ensure the continuation of local service at Ocean Shores, a Form 301 minor change application is being filed to modify KSWW from Channel 271C2 at Montesano, Washington, to Channel 271C3 at Ocean Shores, Washington.

¹ KSWW is licensed at Elma, Washington, but was approved by the Report and Order in Docket No. 00-13 to change to Montesano, Washington.

The attached spacing study demonstrates that Channel 271A can be substituted for Channel 229A at Port Angeles using the existing Channel 229A allotment site, which is located within the city of Port Angeles. There are no domestic short-spacings, except with the proposed KSWW Channel 271C3 transmitter site being proposed in the simultaneously-filed Form 301 application. However, the proposed Port Angeles 271A allotment site is fully-spaced with the proposed Ocean Shores 271C3 allotment site. As shown on the spacing study, different allotment and transmitter sites are being specified for Channel 271C3 at Ocean Shores. The short-spacing between the Port Angeles 271A allotment site and the KSWW 271C3 transmitter site only becomes relevant after the allotments have been approved, and KSWW is requesting processing pursuant to §73.215 of the Commission's Rules with respect to the Port Angeles 271A allotment. (Please see the KSWW application for details.)

The spacing study indicates three short-spacings with Canadian stations or allotments, as discussed below:

CFUV-FM Channel 270A at Victoria, British Columbia

The proposed allotment is short-spaced to Canadian station CFUV-FM on Channel 270A at Victoria, British Columbia. Under the terms of the Working Arrangement for the Allotment and Assignment of FM Broadcasting Channels Under the Agreement Between the Government of Canada and the Government of the United States of America Relating to the FM Broadcasting Service, as amended in 1997 ("Working Arrangement"), the required first-adjacent-channel Class A to Class A spacing is 98 kilometers, whereas the distance between the proposed allotment site and the CFUV-FM transmitter site is 40 kilometers.

A power restriction for the proposed Port Angeles allotment has been designed to ensure that the 48 dBu F(50,10) contour from the proposed allotment will not overlap any Canadian land areas, including Race Rocks, the site of a lighthouse off the coast of Vancouver Island. The azimuthal power restrictions are set forth in the following table:

Azimuth	Power Restriction at 100 m HAAT	48 dBu F(50,10) Distance
290	0.899 kW (-0.46 dBk)	38.4 km
300	0.567 kW (-2.46 dBk)	33.9 km
310	0.358 kW (-4.46 dBk)	29.9 km
320	0.226 kW (-6.46 dBk)	26.7 km
330	0.143 kW (-8.46 dBk)	23.8 km
340	0.090 kW (-10.46 dBk)	21.2 km
342.7 *	0.090 kW (-10.46 dBk)	21.2 km
350	0.090 kW (-10.46 dBk)	21.2 km
0	0.143 kW (-8.46 dBk)	23.8 km
10	0.226 kW (-6.46 dBk)	26.7 km
20	0.358 kW (-4.46 dBk)	29.9 km
30	0.567 kW (-2.46 dBk)	33.9 km
40	0.899 kW (-0.46 dBk)	38.4 km

* Azimuth toward Race Rocks

As depicted on the attached allocation study map, these power restrictions will prevent the 48 dBu F(50,10) contour from overlapping any Canadian land areas.

CFUV-FM Channel 270B at Victoria, British Columbia

The FCC's database indicates a short-spacing with a Class B allotment for CFUV-FM at Victoria, despite the fact that CFUV-FM is licensed for operation as a Class A facility and the Canadian FM database does not show any Class B allotment at Victoria. Indeed, a comment associated with the CFUV-FM license in the Canadian FM database indicates that the facility is limited to 3 kW at 100 meters HAAT. A comment associated with the Class B allotment in the FCC's database reads:

*Special Negotiated Short-Spaced Allocation. Used by Class A Station CFUV-FM
However, Allotment Remains Class B per Canadian Letter 950220*

It is not clear whether Canadian authorities still consider the Class B allotment at Victoria to be active and requiring protection. However, the azimuthal power restrictions outlined above for protection of the CFUV-FM Class A license will equally provide protection to the Class B allotment, by preventing the 48 dBu F(50,10) contour from overlapping any Canadian land areas.

Vacant Channel 272A1 at River Jordan, British Columbia

The proposed allotment is short-spaced to a vacant Canadian allotment on Channel 272A1 at River Jordan, British Columbia. Under the terms of the Working Arrangement, the required first-adjacent-channel Class A to Class A1 spacing is 78 kilometers, whereas the distance between the proposed allotment site and the River Jordan allotment site is 51 kilometers. The azimuthal power restrictions outlined above for protection of the CFUV-FM Class A license will equally provide protection to the River Jordan 271A1 allotment, by preventing the 48 dBu F(50,10) contour from overlapping any Canadian land areas.

It is therefore respectfully requested that the Commission coordinate Channel 271A at Port Angeles with Canadian authorities as a special negotiated short-spaced allocation with the azimuthal power restrictions listed above.

Hatfield & Dawson Consulting Engineers

SEARCH PARAMETERS

FM Database Date: 080630

Channel: 271A 102.1 MHz Page 1
 Latitude: 48 6 54
 Longitude: 123 26 36
 Safety Zone: 32 km
 Job Title: PORT ANGELES 271A

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
	VICTORIA BC	RM-	217C 91.3	0.000 0.0	48-35-41 123-32-37	352.1	53.86 24.86	29 CLEAR
	VICTORIA BC	RM-	217C 91.3	0.000 0.0	48-35-41 123-32-37	352.1	53.86 24.86	29 CLEAR
NEW	VICTORIA BC	-	217C 91.3	3.500 494.0	48-35-41 123-32-37	352.1	53.86 24.86	29 CLEAR
NEW APP	SEQUIM WA	BNPED-071012ACD	218A 91.5	0.700 -84.0	48-04-30 123-11-32	103.3	19.23 9.23	10 CLOSE
KPLZ-FM LIC	SEATTLE WA	BLH-010205AAH	268C 101.5	100.000 385.0	47-32-40 122-06-26	122.0	118.46 23.46	95 CLEAR
CITRFM	VANCOUVER BC	-	270A 101.9	0.000 0.0	49-16-07 123-15-01	6.2	129.07 31.07	98 CLEAR
CITRFM	VANCOUVER BC	-	270D 101.9	0.049 103.0	49-16-07 123-15-01	6.2	129.07 0.00	0 TRANS
CITRFM	VANCOUVER BC	-	270A 101.9	1.800 103.0	49-16-07 123-15-01	6.2	129.07 31.07	98 CLEAR
CFUVFM	VICTORIA BC	-	270B 101.9	0.000 0.0	48-25-00 123-22-00	9.6	34.02 -102.98	137 SHORT
CFUVFM	VICTORIA BC	-	270A 101.9	2.290 58.0	48-27-52 123-18-35	14.2	40.10 -57.90	98 SHORT
NEW-T APP	HUNT'S FOINT WA	BNPFT-030317ACA	270D 101.9	0.099 167.0	47-36-58 122-18-28	122.8	101.47 0.00	0 TRANS
NEW-T APP	MERCER ISLAND WA	BNPFT-030311AQK	270D 101.9	0.010 224.0	47-36-57 122-18-26	122.8	101.52 0.00	0 TRANS
CBUF-1	CHILLIWACK BC	-	271A 102.1	0.081 199.0	49-06-36 121-50-47	46.1	161.58 10.58	151 CLEAR
K271AH LIC	CAMANO WA	BLFT-070409AAE	271D 102.1	0.150 115.0	48-16-56 122-42-26	70.9	57.80 0.00	0 TRANS

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SEARCH PARAMETERS FM Database Date: 080630

Channel: 271A 102.1 MHz Page 2

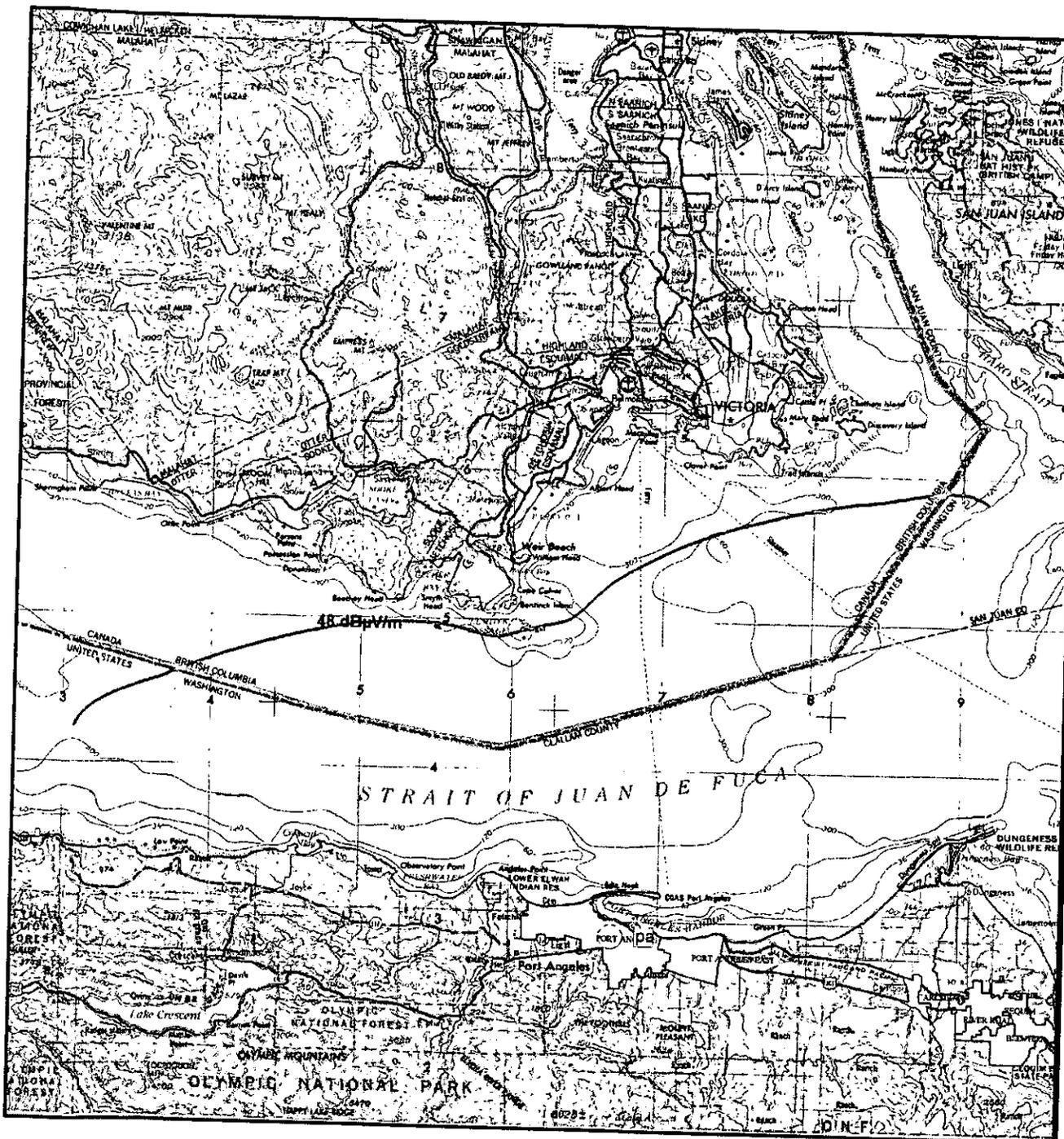
Latitude: 48 6 54

Longitude: 123 26 36

Safety Zone: 32 km

Job Title: PORT ANGELES 271A

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
KSWW	ELMA		271C3	25.000	46-57-31	184.9	129.03	142
LIC	WA	BLH-980730KA	102.1	98.0	123-35-18	SS	-12.97	SHORT
NOTE: TO 271C3 OCEAN SHORES PER SIMULTANEOUSLY-FILED FORM 301								
KSWW	MONTESAKO		271C2	23.000	46-59-47	191.2	126.74	166
CP	WA	BPH-050527BFD	102.1	171.0	123-46-03	SS	-39.26	SHORT
NOTE: TO 271C3 OCEAN SHORES PER SIMULTANEOUSLY-FILED FORM 301								
NEW-T APP	GIG HAREOR WA	BNPFT-030313BBV	271D	0.005 DA 85.0	47-20-11	142.7	108.44	0
			102.1		122-34-22		0.00	TRANS
K271AZ	PORT ANGELES		271D	0.070	48-05-14	146.8	3.69	0
LIC	WA	BLFT-080418AAT	102.1	174.0	123-24-58		0.00	TRANS
NEW-T APP	SUMNER WA	BNPFT-030313BBI	271D	0.002 DA 54.0	47-10-52	138.8	137.23	0
			102.1		122-14-57		0.00	TRANS
KPQ-FM LIC	WENATCHEE WA	BMLH-000322ABI	271C	35.000 809.0	47-16-28	111.4	245.09	226
			102.1		120-25-30		19.09	CLEAR
	NANAIMO BC	-	272A	0.000 0.0	49-10-00	343.1	122.40	98
			102.3		123-56-00		24.40	CLEAR
	RIVER JORDAN BC	-	272A1	0.000 0.0	48-24-06	309.3	50.58	78
			102.3		123-58-20		-27.42	SHORT
K219KP CP MOD	SEQUIM WA	BMPFT-080219ASI	272D	0.200 DA 43.0	48-08-08	83.6	21.05	0
			102.3		123-09-44		0.00	TRANS
	VICTORIA BC	-	274D	0.000 0.0	48-27-39	11.0	39.18	0
			102.7		123-20-32		0.00	TRANS
44444 BEGINNING SEARCH OF SECONDARY DATABASE 44444								
KSWW APP	OCEAN SHORES WA	ALLOT -	271C3	0.000 0.0	46-53-04	197.6	143.37	142
			102.1		124-00-44		1.37	CLOSE
KSWW APP	OCEAN SHORES WA	XMIT -	271C3	14.000 122.0	46-56-00	189.5	133.17	142
			102.1		123-43-57		-8.83	SHORT
ABSOLUTE MINIMUM 73.215 SPACING = 119 KM								
NOTE: KSWW IS REQUESTING 73.215 WITH RESPECT TO PORT ANGELES 271A								
None VACANT	PORT ANGELES WA	ALLOT -	271A	0.000 0.0	48-06-54	0.0	0.00	115
			102.1		123-26-36		-115.00	SHORT
44444 END OF FM SPACING STUDY FOR CHANNEL 271 44444								



SIGNAL™: PA 271A



Allocation Study Map

Hatfield & Dawson

Exhibit

July 2008

This map depicts the fact that the azimuthal power restrictions proposed for Channel 271A at Port Angeles will prevent the 48 dBu F(50,10) contour from overlapping any Canadian land areas, including Race Rocks.

Race Rocks is the location marked "Light" just south of Bentinck Island, in the pattern minimum.

Statement of Engineer

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Port Angeles, Washington, has been prepared by Erik C. Swanson under my direct supervision. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 7th day of July, 2008



Benjamin F. Dawson III, P.E.

A handwritten signature in cursive script, appearing to read "Erik C. Swanson".

Erik C. Swanson

Hatfield & Dawson Consulting Engineers