

**ORIGINAL**

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

**FILED/ACCEPTED**

**MAR - 9 2009**

Federal Communications Commission  
Office of the Secretary

In the Matter of )  
 )  
Amendment of Section 73.202(b) )  
Table of Allotments )  
FM Broadcast Stations )  
(Culebra, Puerto Rico and Charlotte Amalie, )  
Virgin Islands) )

MB Docket No. 08-243

RM - 11490

To: Office of the Secretary, FCC

**COMMENTS**

Western New Life, Inc. ("WNL"), permittee and operator, by Special Temporary Authority ("STA") of Station WNVE-FM, fac id. 3250, (the "Station"), by its counsel, hereby submits its Comments in support of the FCC's NPRM (DA 09-40, released January 16, 2009) which proposes amending the FM Table of Allotments by substituting Channel 271A for Channel 254A at Culebra, Puerto Rico, and deleting the vacant allotment of Channel 271B to Charlotte Amalie, Virgin Islands. This proposed change, if adopted, would enable WNL to finally obtain a license for the Station, which has operated continuously under Special Temporary Authority ("STA") for over ten years while waiting for final implementation of MM Docket 91-259.

1. The initial *Report and Order* in MM Docket 91-259 was released on June 22, 1995 ("*R&O*").<sup>1</sup> The *R&O* changed the allotment for the Station from Channel 293A to Channel 254A. However, that change was at the end of a very long daisy chain of other events, and after ten years, the conditions precedent that would enable WNL to

No. of Copies rec'd 044  
List ABCDE

<sup>1</sup> See Report and Order in MM Docket 91-259, 10 FCC Red 6673 (1995).

apply for a license for the Station on Channel 254A have not taken place. The Station thus continues to provide first local service to Culebra by way of a tenuous SIA.

2 WNL currently has on file a hybrid contingent application (BMPH-20071211AAQ) which requests a modification of its present construction permit to specify Channel 271A instead of Channel 254A. The application as filed does not require any other technical changes and provides a location and technical parameters that will provide principal community coverage to Culebra

3 If the proposal in this NPRM is adopted, the channel for Station WNL- FM at Culebra can change via grant of the pending hybrid contingent application can be granted. When the application is granted, WNL pledges to complete construction in accordance with the construction permit as expeditiously as possible and file for a license for the Station thereafter.

WHEREFORE, WNL respectfully requests that the Commission adopt what is proposed in the NPRM by deleting the vacant Channel 271B allotment from Charlotte Amalie, Virgin Islands, and substituting Channel 271A for Channel 254A at Culebra, Puerto Rico to provide that community a permanent first local service.

Respectfully submitted,

WESTERN NEW LIFE, INC.

By:



Scott C. Cinnamon  
Law Offices of Scott C. Cinnamon, PLLC  
1250 Connecticut Ave., NW, Suite 200, #144  
Washington, D.C. 20036  
(202) 216-5798

Its Counsel

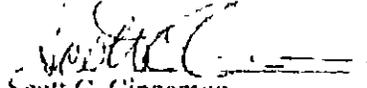
March 9, 2009

CERTIFICATE OF SERVICE

I, Scott C. Cinnamon, do certify that I have on this 9th day of March, 2009, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Comments" to the following:

John A. Karousos, Assistant Chief \*  
Audio Division, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Rolanda F. Smith \*  
Audio Division, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

  
Scott C. Cinnamon

\* - by hand delivery