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October 1, 2009

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BY HAND DELIVERY

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, D.C. 20554

Attention: Media Bureau

Re: Amendment of FM Table of Allotments
De Beque, Colorado

Dear Ms. Dortch:

Transmitted herewith, on behalf of Cochise Media Licenses, LLC are an original and four copies of its Petition for Rule Making, wherein it is propose to substitute Channel 247C3 for the vacant allotment of Channel 275C3 at De Beque, Colorado.

Should any questions arise concerning this matter, please communicate with this office.

Very truly yours,

Anne Goodwin Crump
Counsel for Cochise Media Licenses, LLC.

AGC:deb

Enclosures

FILED/ACCEPTED
OCT - 1 2009
Federal Communications Commission
Office of the Secretary
RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
DIVISION

Before the Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments, FM Broadcast Stations.)
(De Beque, Colorado))

MB Docket No. 09-____
RM - _____

FILED/ACCEPTED
OCT - 1 2009
Federal Communications Commission
Office of the Secretary

Directed to: Office of the Secretary
Attention: Chief, Media Bureau

PETITION FOR RULE MAKING

Cochise Media Licenses, LLC ("Cochise"), tentative selectee and applicant for a new FM station on Channel 274C3 at Crawford, Colorado, Short Form File Number BSFH-20090625ADU, by its attorneys, hereby respectfully submits its Petition for Rule Making to substitute Channel 247C3 for vacant Channel 275C3 at De Beque, Colorado. With respect thereto, the following is stated:

Cochise is submitting this Petition for Rule Making as a part of a hybrid application and rule making proposal. The proposed change in channel for the vacant allotment at De Beque, Colorado, will allow Cochise's new station to provide first local service to a more populous community. In its long form application, File No. BNPH-20090929AMO, with which this petition is being filed in conjunction, Cochise is proposing a minor change from Channel 274C3 at Crawford, Colorado, to channel 275C3 at Battlement Mesa, Colorado. The current allotment at Crawford would provide service to a town of only 366 people, while the proposed new community of Battlement Mesa has a population of 3,497 but has no local service. This nearly tenfold increase in the population of the community to be served clearly advances the public interest and increases the efficiency of radio service.

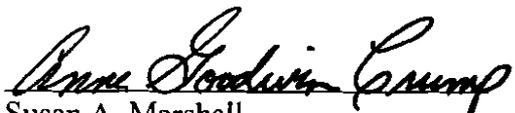
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List ABCDE
MB-Video 09-76

As set forth in the attached Engineering Statement, the change in channel and community of license can be made in accordance with Commission rules and policies, except for a short-spacing to the vacant allotment at De Beque. This petition proposes to eliminate that difficulty by changing the vacant allotment from Channel 275C3 to Channel 247C3. As noted in the attached Engineering Statement, reference co-ordinates for the Channel 247C3 at De Beque would allow for 70 dB/u signal strength coverage of 100 percent of the community of De Beque, and there would be no change in the class of channel allotted. Further, the proposed channel substitution for the vacant De Beque allotment may be made entirely in accordance with the Commission's spacing requirements.

Thus, grant of the instant petition would result in the allotment of new, first local service to a substantially larger community in need of its own station than is currently the case. This positive step would serve the public interest and would make more efficient use of the spectrum.

WHEREFORE, the premises considered, Cochise respectfully requests that the Commission grant its petition and substitute Channel 247C3 for Channel 275C3 at De Beque, Colorado.

Respectfully submitted,
COCHISE BROADCASTING, LLC

By: 
Susan A. Marshall
Anne Goodwin Crump

Its Attorneys

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October 1, 2009

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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 247C3 FOR CHANNEL 275C3
FOR USE AT DE BEQUE, CO

COCHISE MEDIA LICENSES, LLC

SEPTEMBER 2009

Engineering Statement

This Engineering Statement has been prepared on behalf of Cochise Media Licenses, LLC ("Cochise"), winning bidder in FM Auction #79 for a construction permit on Channel 274C3 at Crawford, Colorado, in support of a Petition for Rulemaking to amend §73.202 of the Commission's Rules to substitute Channel 247C3 for vacant Channel 275C3 at De Beque, Colorado.

Hybrid Application and Rulemaking Filing

The instant proposal is being filed as a part of a hybrid application and rulemaking proposal.

Cochise is proposing in its Form 301 application to implement its auction facility with a "one step" modification from Channel 274C3 at Crawford to Channel 275C3 at Battlement Mesa, Colorado. The only conflict would be with a vacant allotment on Channel 275C3 at De Beque. Therefore, it is being proposed by the instant rulemaking filing to substitute Channel 247C3 for vacant Channel 275C3 at De Beque.

The attached spacing study is included to demonstrate that Channel 247C3 can be substituted for Channel 275C3 at De Beque, using reference coordinates of N39-24-45 x W108-05-26 in order to avoid a short-spacing to KCYN on Channel 246C1 at Moab. This location is 13 kilometers from central De Beque. The standard Class C3 70 dBu contour distance is 23.2 km, and as depicted on the attached map exhibit this site will provide 70 dBu service to 100% of De Beque.

Hatfield & Dawson Consulting Engineers

SEARCH PARAMETERS

FM Database Date: 090924

Channel: 247C3 97.3 MHz
 Latitude: 39 24 45
 Longitude: 108 5 26
 Safety Zone: 32 km
 Job Title: DE BEQUE 247C3 ALLOTMENT SITE

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Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
KUUR LIC	CARBONDALE CO	BLH-50920ADE	244A 96.7	0.090 764.3	39-25-08 107-22-10	89.1 SS	62.11 20.11	42 CLEAR
K244AN LIC	RIFLE CO	BLFT-810414IA	244D 96.7	0.008 236.0	39-31-49 107-46-40	63.9	29.92 0.00	0 TRANS
K244CO LIC	WEST GLENWOOD SPRING CO	BLFT-941227TG	244D 96.7	0.200 13.0	DA 39-33-10 107-19-48	76.3	67.26 0.00	0 TRANS
NEW-T APP	BATTLEMENT MESA CO	BNPFT-30317CQH	245D 96.9	0.010 1113.0	39-25-57 108-07-46	303.7	4.02 0.00	0 TRANS
NEW-T APP	DELTA CO	BNPFT-30317CVB	245D 96.9	0.041 260.0	38-48-46 108-10-39	186.4	67.00 0.00	0 TRANS
NEW-T APP	GRAND JUNCTION CO	BNPFT-30312AUK	245D 96.9	0.250 154.0	DA 39-00-58 108-29-19	218.0	55.84 0.00	0 TRANS
NEW-T APP	PALISADE CO	BNPFT-30313AAQ	245D 96.9	0.250 38.0	39-06-46 108-22-05	215.7	41.00 0.00	0 TRANS
NEW-T APP	PALISADE CO	BNPFT-30314CJP	245D 96.9	0.009 1378.0	DA 39-05-22 108-13-23	197.7	37.64 0.00	0 TRANS
NEW-T APP	BATTLEMENT MESA CO	BNPFT-30314BHH	246D 97.1	0.250 272.0	39-26-17 108-00-03	69.7	8.23 0.00	0 TRANS
NEW-T APP	CEDAREEDGE CO	BNPFT-30317JPS	246D 97.1	0.500 609.0	38-58-24 107-55-58	164.4	50.62 0.00	0 TRANS
VAC	CRESTED BUTTE CO	RM-11072	246C3 97.1	0.000 0.0	38-50-42 106-54-00	121.2	120.70 21.70	99 CLEAR
NEW-T APP	GYPSUM CO	BNPFT-30317GKG	246D 97.1	0.050 527.0	39-39-50 107-00-20	72.9	97.36 0.00	0 TRANS
K246AH LIC	THOMASVILLE CO	BLFT-70308AEZ	246D 97.1	0.010 268.0	DA 39-21-12 106-41-00	92.7	121.42 0.00	0 TRANS
KCYN LIC	MOAB UT	BLH-981223KB	246C1 97.1	29.000 394.0	38-31-37 109-18-21	227.2	144.07 0.07	144 CLOSE

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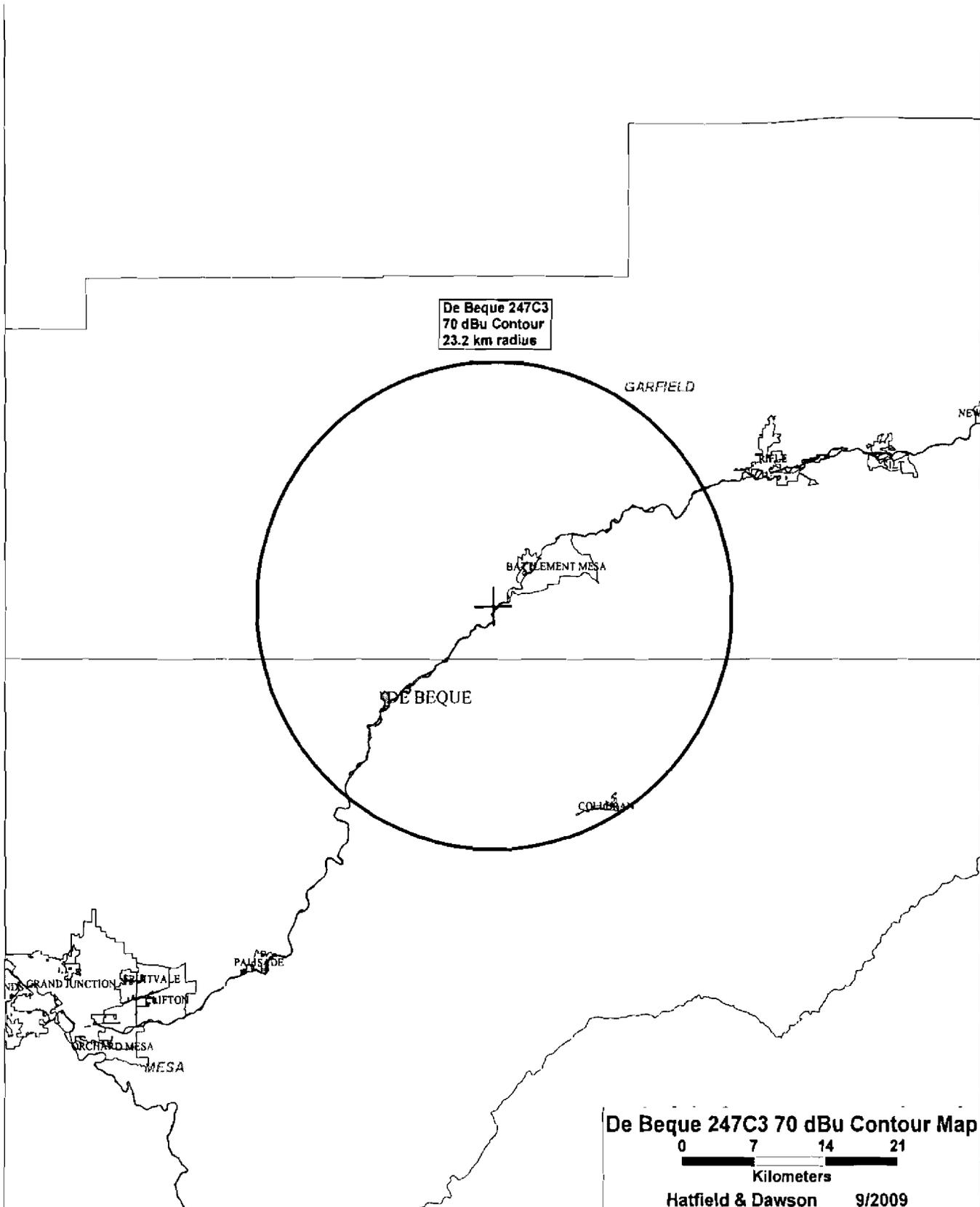
SEARCH PARAMETERS FM Database Date: 090924
Page 2

Channel: 247C3 97.3 MHz
 Latitude: 39 24 45
 Longitude: 108 5 26
 Safety Zone: 32 km
 Job Title: DE BEQUE 247C3 ALLOTMENT SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
KBCO LIC	BOULDER CO	BMLH-960506KA	247C 97.3	100.000 469.0	DA 39-54-48 105-17-32	76.0	246.49 9.49	237 CLOSE
K247AD LIC	CARBONDALE CO	BLFT-50314AIC	247D 97.3	0.010 1198.0	DA 39-25-24 107-22-32	88.6	61.59 0.00	0 TRANS
NEW-T APP	DELTA CO	BNPFT-30317CUU	247D 97.3	0.250 67.0	38-44-21 108-03-13	177.5	74.82 0.00	0 TRANS
K244CI APP	EAGLE, ETC. CO	BPFT-51014AES	247D 97.3	0.010 1005.0	DA 39-44-18 106-47-58	71.5	116.68 0.00	0 TRANS
VAC	LAKE CITY CO	RM-9938	247A 97.3	0.000 0.0	38-01-47 107-18-52	156.1	167.68 25.68	142 CLEAR
K247AP LIC	STEAMBOAT SPRINGS CO	BLFT-60104AAO	247D 97.3	0.013 477.0	40-27-43 106-50-58	41.8	157.58 0.00	0 TRANS
NEW-T APP	BATTLEMENT MESA CO	BNPFT-30317FHW	248D 97.5	0.010 1113.0	39-25-57 108-07-46	303.7	4.02 0.00	0 TRANS
K248AE LIC	MONTROSE CO	BLFT-10409ABM	248D 97.5	0.010 878.0	38-23-16 107-40-28	162.3	119.35 0.00	0 TRANS
K248AC LIC	WHITEWATER CO	BLFT-00918AKX	248D 97.5	0.170 127.0	39-01-00 108-28-23	216.9	54.98 0.00	0 TRANS
NEW-T APP	CEDAREEDGE CO	BNPFT-30314BOO	249D 97.7	0.250 604.0	38-58-24 107-55-58	164.4	50.62 0.00	0 TRANS
NEW-T APP	DELTA CO	BNPFT-30317FMA	249D 97.7	0.250 67.0	38-44-21 108-03-13	177.5	74.82 0.00	0 TRANS
K249BX LIC	EAST SALT CREEK, ETC CO	BLFT-841009TC	249D 97.7	0.009 719.0	39-36-01 108-47-42	289.3	64.07 0.00	0 TRANS
NEW-T APP	GLENWOOD SPRINGS CO	BNPFT-30317GGP	249D 97.7	0.010 343.0	DA 39-31-58 107-20-27	78.0	65.88 0.00	0 TRANS
VAC	ORCHARD MESA CO	RM-10754	249C3 97.7	0.000 0.0	39-04-47 108-36-00	230.0	57.44 14.44	43 CLEAR
NEW-T APP	CEDAREEDGE CO	BNPFT-30317JPM	250D 97.9	0.300 490.0	39-58-24 107-55-58	12.2	63.72 0.00	0 TRANS
K250AO LIC	REDLANDS CO	BLFT-70718AAB	250D 97.9	0.010 738.0	39-03-57 108-44-45	235.9	68.42 0.00	0 TRANS

==== END OF FM SPACING STUDY FOR CHANNEL 247 =====

De Beque 247C3
70 dBu Contour
23.2 km radius



De Beque 247C3 70 dBu Contour Map

0 7 14 21
Kilometers

Hatfield & Dawson 9/2009

Statement of Engineer

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at De Beque, Colorado, has been prepared by me or under my direct supervision. All representations herein are true to the best of my knowledge. I am a staff engineer in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the State of Washington.

Signed this 29th day of September, 2009



Erik C. Swanson, P.E.