

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

2011 OCT 13 P 2 13

2011 OCT 13 P 2 13

In the Matter of)
)
Amendment of 73.202(b)) MB Docket No. _____
FM Table of Allotments) RM-
FM Broadcast Stations)
(Midway, Centerville, Texas)

Received & Inspected

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

OCT 4 2011
FCC Mail Room

PETITION FOR RULE MAKING

Katherine Pyeatt hereby requests the allotment of Channel 267A to Midway, Texas,¹ as that community's first local transmission service. The following summarizes the changes requested in this Petition:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Midway, TX	-----	267A
Centerville, TX	267A	232A

In order to allot Channel 267A to Midway, Texas, the vacant allotment at Centerville, Texas, Channel 267A, will need to move to Channel 232A at new reference coordinates.

Midway, Texas qualifies as a "community" for FCC allotment purposes.

Petitioner respectfully submits that the public interest would be served by allocating Channel 267A to Midway, Texas as that community's first local service. Midway is an incorporated community in Madison County, Texas. As of the 2000 US Census, Midway had a population

¹ Pursuant to *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 (2006) ("Streamlining R&O"), Katherine Pyeatt is contemporaneously filing a Form 301 application for this proposal along with the requisite filing fee. Should this channel be allotted to Midway, Texas, Katherine Pyeatt hereby states that she will construct the facility specified in the Form 301.

of 288 people.² The Texas State Data Center reported Midway with a population of 297 as of January 1, 2008.³ Midway has its own post office⁴, city hall⁵, volunteer fire department⁶, community center⁷, and zip code⁸. As of January 2008, the state comptroller reported 15 businesses in Midway.⁹ (See, Attachment A) Additionally, Midway has six churches. (See, Attachment B)

Midway is a community that is certainly deserving of a first FM service. "Local radio stations play an important role in their communities, providing local news, information and entertainment to residents, and generally serving as good corporate citizens in the local community life. This is particularly true in smaller towns where the radio stations are limited in number. Yet there are still rural areas of our country that do not have even a local radio station."¹⁰ The proposed channel 267A will provide additional diversity and an outlet for local self-expression to Midway residents and therefore is in the public interest.

Channel 267A/ Midway, Texas

Attached hereto is a channel study confirming that Channel 267A can be allocated to Midway, Texas, consistent with Section 73.207 of the Commission's Rules¹¹ with respect to all existing and proposed domestic allotments and facilities, provided that the necessary change is made with the vacant allotment at Centerville, Texas. (See, Attachment C) A 70 dBu signal can be provided to Midway from the proposed reference coordinates.

² American FactFinder, (<http://factfinder.census.gov>). United States Census Bureau.

³ Texas Almanac 2010-2011, published by Texas State Historical Association, pages 398 & 414.

⁴ Midway Post Office, 11528 State Highway 21 East, Midway, Texas 75852, (936) 348-3154, (800) 275-8777.

⁵ City of Midway, 12250 State Highway 21 East, Midway, Texas 75852, (936) 348-6800. Mayor Patrick H Wakefield.

⁶ Midway Volunteer Fire Department, V.F.D. Building, 5648 School Road, Midway, TX 75852. (936) 348-8270.

⁷ Midway Community Center, 5550 School Rd, Midway, TX 75852. (936) 348-8270.

⁸ Midway, Texas zip code - 75852.

⁹ Texas Almanac 2010-2011, published by Texas State Historical Association, page 398 & 414.

¹⁰ Statement of Commissioner Kevin J. Martin, MM & O, MM Docket 99-240, released May 20, 2004.

¹¹ 47 C.F.R. 73.207.

Reference coordinates for Channel 267A at Midway, Texas
are:

31 03 42.3 N
95 49 06.3 W

Channel 232A/ Centerville, Texas

In order for Channel 267A to be allotted to Midway, Texas, Channel 232A must be substituted for Channel 267A, the vacant allotment at Centerville, Texas.

Attached hereto is a channel study confirming that Channel 232A can be allotted to Centerville, Texas, consistent with Section 73.207 of the Commission's rules with respect to all existing and proposed domestic allotments and facilities. (See, Attachment D) A 70 dBu signal can be provided to Centerville from the proposed reference coordinates.

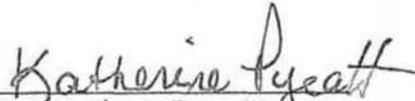
Reference coordinates for Channel 232A at Centerville, Texas are:

31 19 03.0 N
96 03 54.0 W

I hereby certify that should this petition be granted and Channel 267A is allotted to Midway, Texas as specified in my petition and in my Form 301 for this channel which I have simultaneously electronically filed with this Petition for Rule Making along with the requisite Form 301 filing fee, I will participate in the auction for the channel.

The factual information provided in these Comments is correct and true to the best of my knowledge.

Respectfully submitted,


Katherine Pyeatt

2215 Cedar Springs Rd., #1605
Dallas, Texas 75201
(214) 674-1752

October 13, 2011

Midway Petition

Attachment A
(Midway Businesses)

Midway, Texas/ Businesses

Wiseman Trailer Sales & Repair

12041 State Highway 21 E, Midway, TX 75852
(936) 348-7300

Jerry's Feed & Hardware, Inc.

12074 State Highway 21 E, Midway, TX 75852
(936) 349-0699

Fraley's Food Store & BBQ

12235 State Highway 21 E, Midway, TX 75852
(936) 348-2882

Amanda's Home Country Cooking

12108 State Highway 21 E, Midway, TX 75852
(936) 349-0333

Johnson Bar-B-Que

12148 State Highway 21 E, Midway, TX 75852
(936) 349-0067

Frontier Pest Control

6850 Ferguson Lane, Midway, TX 75852
(936) 348-7378

Sam's Barn Construction

9775 Goose Praire Rd, Midway, TX 75852
(936) 348-6832

Campbell Security Systems

5701 Pine Top Lane, Midway, TX 75852
(936) 348-2055

Attachment B
(Midway Churches)

Midway, Texas/ Churches

Tanyard United Methodist Church

FM 1119, Midway, TX 75852

(936) 348-6213

Hope Well Missionary Baptist Church

12695 FM 247, Midway, TX 75852

(936) 348-2248

Antioch Church of Christ

Highway 21 E, Midway, TX 75852

(936) 348-6364

Midway Church of Christ

Highway 21 E, Midway, TX 75852

(936) 348-5575

Elwood United Methodist Church

18937 FM 1119, Midway, TX 75852

(936) 348-6555

21 Fellowship

11574 State Highway 21 E, Midway, TX 75852

(936) 348-6400

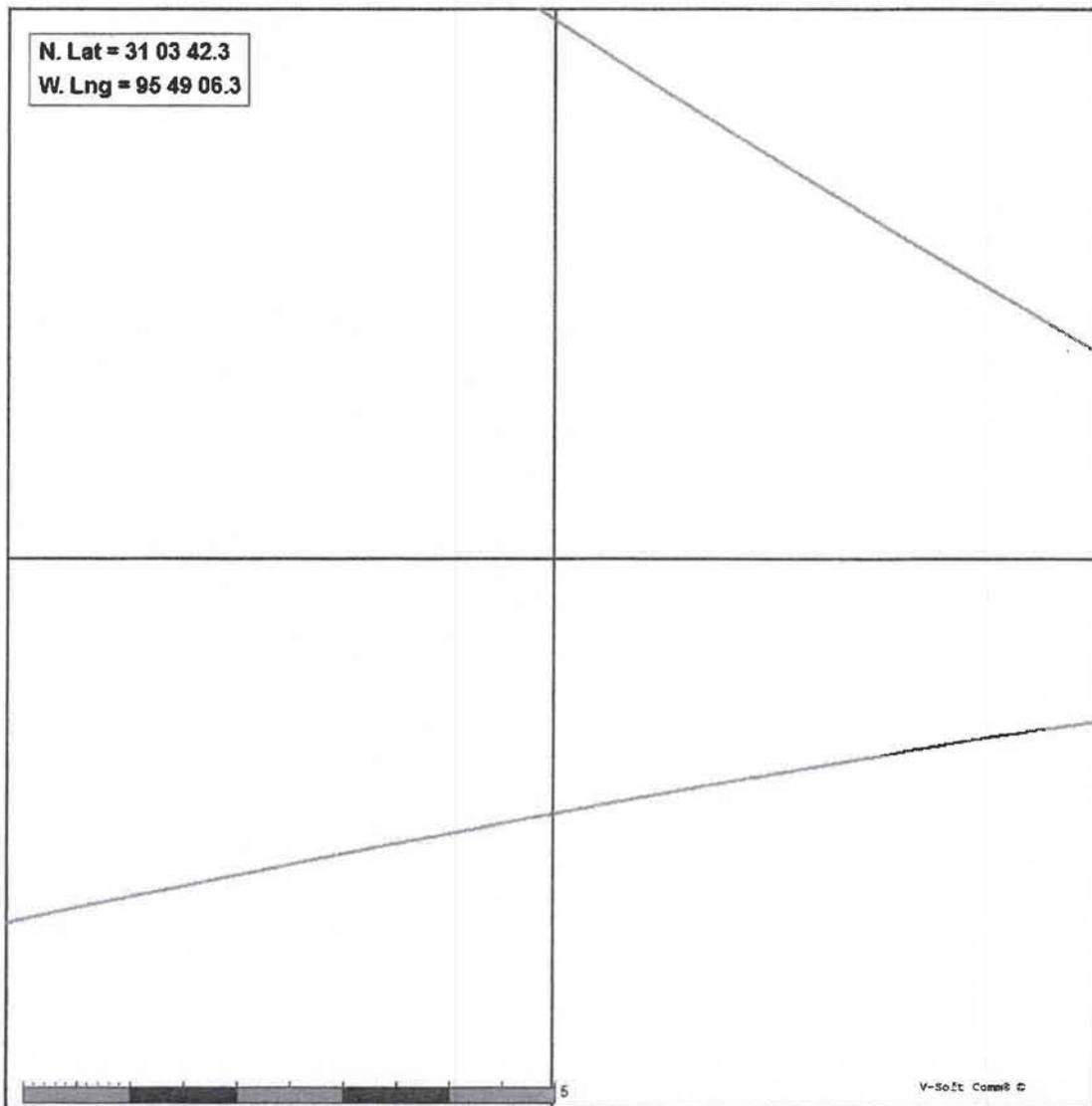
Attachment C

(Channel Study for Channel 267A at Midway, Texas)

CH 267 A, AA, 101.3 MHz

Current Spacings to 3rd Adj.
test

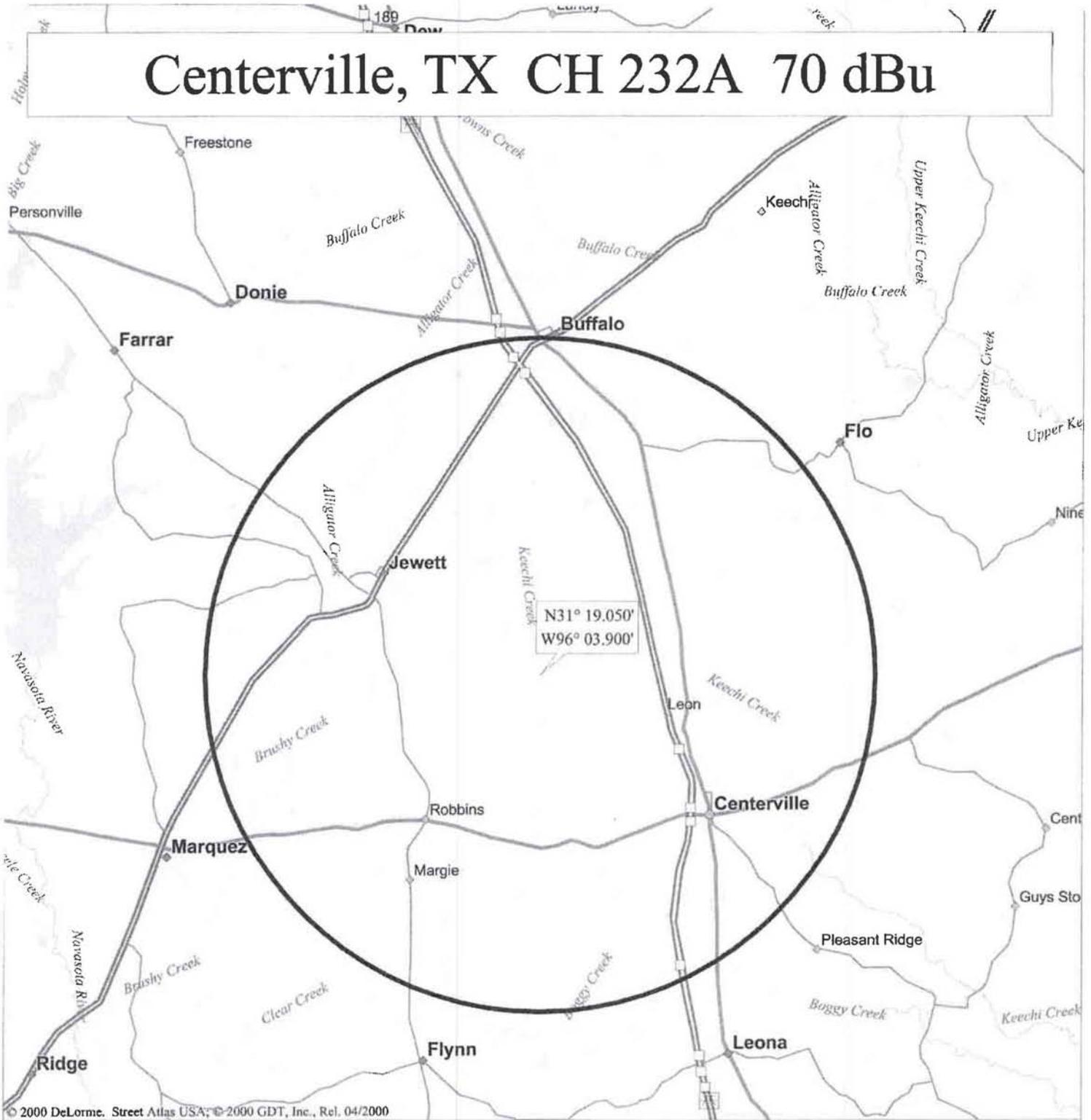
RMG@AN HKING BROAD



Data Date:10-11-11 Job Date:10-12-11

Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
AU9313321	267A	VAC	Centerville	TX	307.0	32.65	115.0	-82.35
KLOL	266C	LIC	Houston	TX	169.8	167.33	165.0	2.33
KNUE	268C0	LIC	Tyler	TX	31.4	156.26	152.0	4.26
KSAM-FM	269A	LIC	Huntsville	TX	147.9	47.81	31.0	16.81
1437892	265A	APP	Elkhart	TX	18.0	54.38	31.0	23.38
AU9150140	265A	VAC	Elkhart	TX	11.5	57.35	31.0	26.35
1428651	265A	APP	Elkhart	TX	11.5	57.35	31.0	26.35
WRR	266C	LIC	Dallas	TX	327.7	201.26	165.0	36.26
KSHU	213A	LIC	Huntsville	TX	146.4	46.35	10.0	36.35
KBXT	270A	LIC	Wixon Valley	TX	245.1	68.30	31.0	37.30
KSML-FM	270C2	LIC N	Huntington	TX	74.2	113.61	55.0	58.61

Centerville, TX CH 232A 70 dBu



© 2000 DeLorme. Street Atlas USA; © 2000 GDT, Inc., Rel. 04/2000

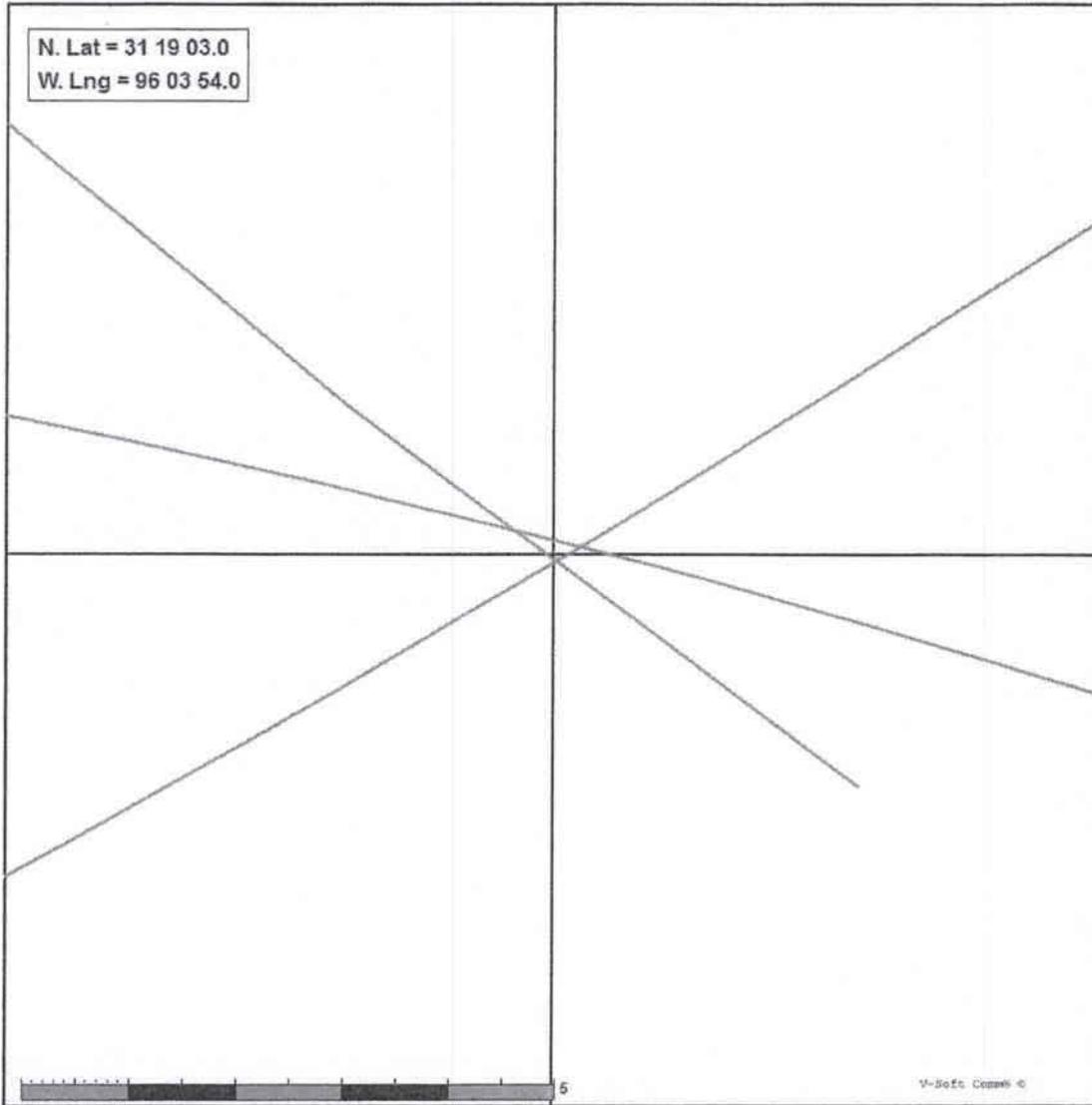
Mag 11.00
 Wed Oct 12 11:54 2011
 Scale 1:250,000 (at center)
 5 Miles
 5 KM

- | | | | |
|--|---------------------------|--|--------------------|
| | Local Road | | Small Town |
| | Major Connector | | Locale |
| | State Route | | Population Center |
| | Interstate/Limited Access | | Water |
| | US Highway | | River/Canal |
| | Rest Area with facilities | | Intermittent River |
| | Exit | | |
| | County Seat | | |

CH 232 A, AA, 94.3 MHz

Current Spacings to 3rd Adj.
test

RMG@AN HKING BROAD



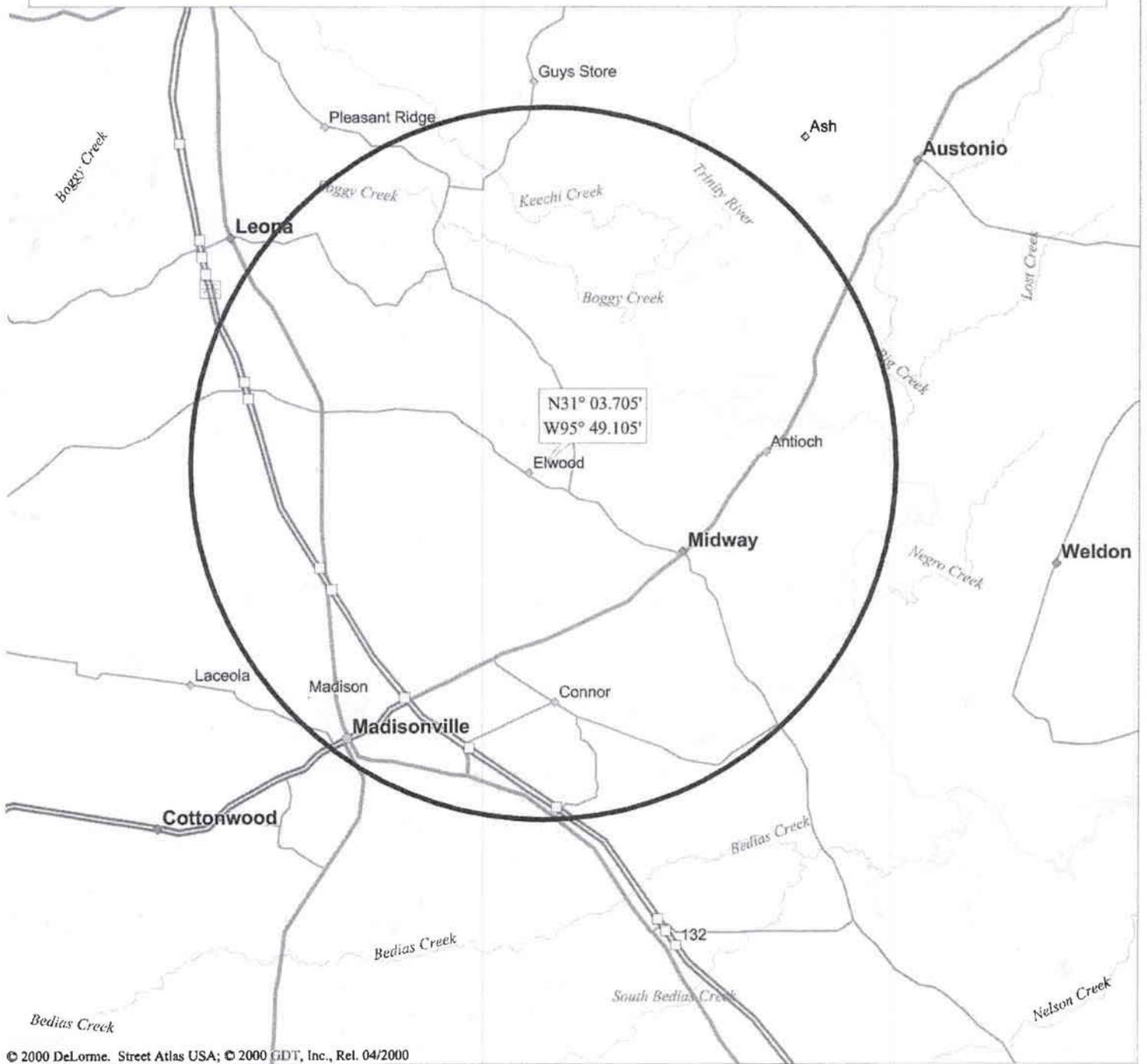
Data Date:10-11-11 Job Date:10-12-11

Call	CH#	Type	Location		Azi	D-KM	FCC	Margin
KLTR	231C2	CP	Brenham	TX	194.3	105.86	106.0	-0.14
KZXM	232A	CP -Z	Bullard	TX	36.8	114.92	115.0	-0.08
KLNO	231C	LIC	Fort Worth	TX	329.1	164.93	165.0	-0.07
KBCT	233A	LIC	Waco	TX	281.8	106.95	72.0	34.95
KTBZ-FM	233C	LIC	Houston	TX	164.5	200.26	165.0	35.26
KLTR	231C3	LIC	Brenham	TX	194.5	134.60	89.0	45.60
KWBT	285A	LIC N	Mexia	TX	305.0	63.52	10.0	53.52

Attachment D

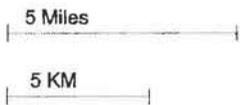
(Channel Study for Channel 232A at Centerville, Texas)

Midway, TX CH 267A 70 dBu



© 2000 DeLorme. Street Atlas USA; © 2000 GDT, Inc., Rel. 04/2000

Mag 11.00
 Wed Oct 12 11:40 2011
 Scale 1:250,000 (at center)



- | | | | |
|--|---------------------------|--|--------------------|
| | Local Road | | Small Town |
| | Major Connector | | Locale |
| | State Route | | Population Center |
| | Interstate/Limited Access | | Land |
| | US Highway | | Water |
| | Rest Area with facilities | | River/Canal |
| | Exit | | Intermittent River |
| | County Seat | | |