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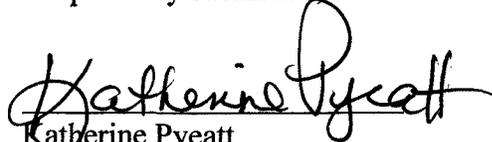
Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

Re: MB Docket No. 12-92  
Midway and Centerville, Texas

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my Reply Comments to Amendment to Counterproposal for MB Docket No. 12-92, Midway and Centerville, Texas.

Respectfully submitted,



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

Reply to C Cover

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

In the Matter of	)	
	)	
Amendment of 73.202(b)	)	MB Docket No.12-92
FM Table of Allotments	)	RM-11650, 11679
FM Broadcast Stations	)	
(Midway, Centerville, Texas	)	

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

**Reply Comments to Amendment to Counterproposal**

I, Katherine Pyeatt, hereby submit the following Reply Comments to Amendment to Counterproposal filed by Roy Henderson on October 15, 2012.

By Public Notice Report No. 2963 (released September 28, 2012) the Commission requested that Roy E. Henderson (“Henderson”) file an amendment to the counterproposal to protect the authorization of Station KAGZ(FM). Specifically, Henderson’s counterproposal must protect the pending “cut-off” application for Station KAGZ(FM). Furthermore, new proposals in the proceeding cannot be introduced during the reply comment period as a method of resolving the conflict. Additionally, Henderson is required to make a showing that, at the time he filed the counterproposal, he did not know, and could not have known by exercising due diligence, of the pendency of the conflicting Station KAGZ(FM) “cut-off” application.

**Henderson’s Amendment to Counterproposal Represents a Major Change and is Defective**

Henderson responded to the Public Notice with an Amendment to Counterproposal, dated October 15, 2012. In his amendment, Henderson attempts to resolve the conflict on Channel 232A at Lovelady, Texas by eliminating the use of 232A as a replacement channel and now proposes to relocate the allocation coordinates for vacant channel 288A. This proposed change to his original counterproposal represents a major change.

The use of 232A at Lovelady provided the conflict with the original NPRM and the justification for the inclusion of KTWL from Hempstead to Todd Mission and indirectly KLTR from Brenham to Hempstead. Without the use of 232A at Lovelady, both KTWL and KLTR have no justification for being included in the counterproposal.

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**Henderson Failed to Exercise Due Diligence**

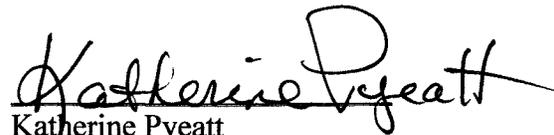
Henderson was also requested to provide a showing that he did not know and could not have known by exercising due diligence of the pendency of the conflicting station KAGZ. The KAGZ "cut-off" application was filed on May 21, 2012 and Henderson's counterproposal was filed on May 29, 2012. Henderson concedes that some of the spacing studies for his counterproposal were prepared after May 21<sup>st</sup> when the KAGZ "cut-off" application was filed. In fact, the spacing study for 231C2 at Hempstead is dated May 28, 2012. However, the spacing study for Lovelady is dated May 8, 2012. To rely on a spacing study dated May 8, 2012 for a filing submitted on May 29, 2012, is negligent.

**Application for 233A at Oakwood, Texas**

The application for Channel 233A at Oakwood, Texas was filed by Great Northern Broadcasting System, Inc. and not Roy E. Henderson.

The factual information provided in these Reply Comments to Amendment to Counterproposal is correct and true to the best of my knowledge, information and belief.

Respectfully submitted,



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

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**CERTIFICATE OF SERVICE**

I, Katherine Pyeatt, do hereby certify that copies of the foregoing Reply Comments to Amendment to counterproposal have been served by United States mail, postage prepaid this 19<sup>th</sup> day of October, 2012, upon the following:

Ms Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Nazifa Sawez  
Assistant Chief  
Audio Division, Media Bureau  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

John C. Trent, Esquire  
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200 S. Church Street  
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Katherine Pyeatt