



**ORIGINAL**

BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, D.C. 20554

In the Matter of )  
 ) MB Docket No. 12- \_\_  
Amendment of Section 73.202(b) ) RM- \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(Dove Creek, Colorado) )

**FILED/ACCEPTED**

**NOV 19 2012**

Federal Communications Commission  
Office of the Secretary

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

**PETITION FOR RULEMAKING**

Cochise Media Licenses, LLC (“Cochise”), by its attorneys, hereby respectfully submits its Petition for Rule Making to allot Channel 229C3 to Dove Creek, Colorado. With respect thereto, the following is stated:

As set forth in the attached Engineering Statement, the allotment of Channel 229C3 at Dove Creek can be made in accordance with Commission rules and policies, provided there is a site restriction 8.6 kilometers northwest of the community in order to avoid a short-spacing to KKDC on Channel 227C2 at Dolores, Colorado. The proposed allotment site is fully-spaced, and city grade service will be provided to the entire community of license. Concurrently herewith, Cochise is filing an application on FCC Form 301 for a construction permit for the Channel 229C3 allotment at Dove Creek, and that application is also in accordance with the Commission’s rules and policies. If this allotment is made, Cochise will prosecute its application filed concurrently with its petition and will participate in any auction of the Dove Creek allotment. In addition, if Cochise is the winning bidder and is granted a construction permit, it will promptly construct the facilities authorized.

Grant of the instant petition would result in a first local service for the community of Dove Creek, which is an incorporated town in Dolores County, and which has a 2010 Census population of 735 persons. Dove Creek has twice previously been found to be a community for allotment

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MB Audio 12-35

purposes, but no station is currently allotted there. While FM station KDVC (Facility ID No. 164124) had a licensed facility at Dove Creek, that station was re-allotted to the community of Loma, Colorado, by grant of the KDVC application in File No. BPH-20090205ACK. That action is effective and final, and any continued operation of KDVC at Dove Creek would be under the FCC's implied special temporary authorization. A separately-granted construction permit for a new NCE FM station at Dove Creek (see BNPED-20071022BIU as modified by BMPED-20090603AFO) expired unbuilt on January 29, 2012. Accordingly, adding a new channel at Dove Creek would serve the public interest.

WHEREFORE, the premises considered, Cochise respectfully requests that the Commission grant its petition and allot Channel 229C3 at Dove Creek, Colorado

Respectfully submitted:

**COCHISE MEDIA LICENSES LLC**

By:   
Susan A. Marshall  
Anne Goodwin Crump

It's Attorneys

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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 ALLOT CHANNEL 229C3  
FOR USE AT DOVE CREEK, CO**

**COCHISE MEDIA LICENSES LLC**

**NOVEMBER 2012**

## Engineering Statement

This Engineering Statement has been prepared on behalf of Cochise Media Licenses LLC ("Cochise"), in support of a Petition for Rulemaking to amend §73.202 of the Commission's Rules to allot Channel 229C3 for use at Dove Creek, Colorado, as that community's first local service.<sup>1</sup>

The attached spacing study is included to demonstrate that Channel 229C3 can be allotted for use at Dove Creek, with a site restriction northwest of the community at N37-48-05 x W108-59-33. This location is 8.6 kilometers from Dove Creek, in order to avoid a short-spacing to KKDC 227C2 Dolores. The standard Class C3 70 dBu contour distance is 23.2 km, and so this site will provide 70 dBu service to 100% of Dove Creek.

Dove Creek is an incorporated town in Dolores County, with a 2010 Census population of 735 persons.

As required, a Form 301 application is also being filed for Channel 229C3 at Dove Creek.

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<sup>1</sup> While FM station KDVC (Facility ID No. 164124) had a licensed facility at Dove Creek, that station was reallocated to the community of Loma, Colorado, by grant of BPH-20090205ACK. That action is effective and final, and any continued operation of KDVC at Dove Creek is under an implied STA.

Hatfield & Dawson Consulting Engineers

## SEARCH PARAMETERS

FM Database Date: 121105

Channel: 229C3 93.7 MHz

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Latitude: 37 48 5

Longitude: 108 59 33

Safety Zone: 32 km

Job Title: DOVE CREEK 229C3 ALLOTMENT SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
KKDC LIC	DOLORES CO	BMLH-40324AFK	227C2 93.3	50.000 103.0	37-27-59 108-31-28	132.0	55.58 -0.42	56 SHORT
KKDC CP	DOLORES CO	BPH-20521BFI	227C2 93.3	50.000 -67.0	37-21-05 108-31-06	140.0 SS	65.18 9.18	56 CLOSE
NEW-T APP	CORTEZ CO	BNPFT-30317CSO	229D 93.7	0.092 168.0	37-21-01 108-33-09	142.2	63.38 0.00	0 TRANS
K229AH LIC	GRAND JUNCTION CO	BLFT-50207AAA	229D 93.7	0.010 788.0	39-04-00 108-44-45	8.6	142.09 0.00	0 TRANS
NEW-T APP	MONTROSE CO	BNPFT-30317CYP	229D 93.7	0.041 250.0	38-31-02 107-51-12	51.0	127.60 0.00	0 TRANS
NEW-T APP	OLATHE CO	BNPFT-30310BJS	229D 93.7	0.130 100.0	DA 38-29-26 107-52-18	51.6	124.52 0.00	0 TRANS
KXXI LIC	GALLUP NM	BXLH-91116ADY	229C0 93.7	0.940 33.0	35-32-26 108-44-28	174.8	251.89 0.00	0 AUX
KXXI LIC	GALLUP NM	BLH-90708AJA	229C0 93.7	100.000 420.0	35-36-22 108-41-26	173.6	245.10 19.10	226 CLEAR
K229AT LIC	MONTICELLO UT	BLFT-70719ACC	229D 93.7	0.013 493.0	37-48-05 109-25-30	270.2	38.09 0.00	0 TRANS
K229AT CP	MONTICELLO UT	BPFT-00329ABJ	229D 93.7	0.034 306.0	37-51-58 109-23-12	281.9	35.44 0.00	0 TRANS
K230AC LIC	N. LA PLATA COUNTY, CO	BLFT-940203TB	230D 93.9	0.051 853.0	DA 37-21-50 107-46-57	114.2	117.39 0.00	0 TRANS
NEW-T APP	CORTEZ CO	BNPFT-30317IAM	232D 94.3	0.170 145.0	37-20-56 108-35-39	145.0	61.32 0.00	0 TRANS

===== END OF FM SPACING STUDY FOR CHANNEL 229 =====

**Statement of Engineer**

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Dove Creek, 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 States of Washington and Colorado.

Signed this 5<sup>th</sup> day of November, 2012



The image shows a handwritten signature in black ink that overlaps a circular professional seal. The seal has a rope-like border and contains the text "COLORADO LICENSED" at the top, "ERIK CHRIS SWANSON" in the middle, and "PROFESSIONAL ENGINEER" at the bottom. The license number "44128" is also visible within the seal. Below the seal, the date "11-5-2012" is handwritten.

Erik C. Swanson, P.E.

Hatfield & Dawson Consulting Engineers