

FEB - 8 2013

FCC Mail Room

F. W. HANNEL & ASSOCIATES

Registered Professional Engineers

Internet
http://www.fwhannel.com
Email: fred@fwhannel.com

10733 East Butherus Drive
Scottsdale, AZ 85255
(480) 585-7475
(800) 868-6592

FAX
(815)-327-9559

February 4, 2013

Federal Communications Commission
Office of the Secretary
Attn: Marlene Dortch
445 12th Street, S.W.
Washington, DC 20554

Re: Comments in MB Docket 12-374
Proposed Allotment of FM Channel 265A
Peach Springs, AZ

Dear Ms. Dortch,

Enclosed is an original and 4 copies of Comments by the Hualapai Tribe to be filed in the above captioned docket. The above proceeding proposes to assign FM Channel 265A to Peach Springs, Arizona as a first local FM service with a Tribal Priority.

If there are any questions regarding the proposal, please contact the undersigned.

Very truly yours,



F. W. Hannel, PE

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

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MB Docket No. 12-374
Table of Allotments,)	RM-11687
FM Broadcast Stations.)	
(Peach Springs, Arizona))	

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

COMMENTS

The Hualapai Tribe, a Native American entity, hereby files these Comments in support of the Commission's proposal to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, by allotting FM Channel 265A to Peach Springs, Arizona as a first tribal local service. This proposed allotment was the subject of a Petition for Rulemaking ("Petition") filed by The Hualapai Tribe on November 12, 2012 seeking the allotment at Peach Springs, Arizona with a Tribal Priority. The Commission published a Notice of Proposed Rulemaking on December 21, 2012 seeking comments on the proposed allotment of FM Channel 265A to Peach Springs, Arizona.

The Hualapai Tribe incorporates by reference its Petition for Rulemaking into these Comments and affirms its present intention to apply for the requested channel if it is allotted and, if authorized, to build a station promptly. Peach Springs¹ is deserving of an FM Channel as it serves as the headquarters of The Hualapai Tribe and, as described in its Petition For Rulemaking, the proposed allotment would be a new first service over Hualapai Lands, and is fully qualified to receive a Tribal Priority allotment.

Should the Commission assign FM Channel 265A to Peach Springs, The Hualapai

¹ Peach Springs presently has one commercial channel assigned, FM Channel 281C3. A Construction Permit has been granted to JER Licenses, LLC and an application is now pending which proposes to move that channel from Peach Springs, Arizona to Springdale, Utah, (FCC File No. BNPH-20120529ALI). If this change in Community of License is granted, Peach Springs would not have any FM service assigned to it and the proposed assignment would constitute a first local service to the community.

Tribe will prosecute its pending application and, if awarded the Construction Permit for the newly assigned facility, will promptly construct the station. Adoption of the Proposed Rulemaking would substantially advance the Commission's goal of assigning aural services to Native American communities.

Respectfully submitted,
The Hualapai Tribe

By: 
F. W. Hannel, PE

F. W. Hannel & Associates
10733 East Butherus Drive
Scottsdale, AZ 85255
(480) 585-7475
Fax (815) 327-9559
<http://www.fwhannel.com>

Dated: February 4, 2013

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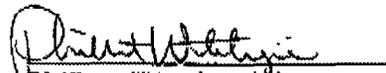
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CERTIFICATION

The undersigned, Philbert Watahomigie, Vice Chairman of the Hualapai Tribe, has read the Comments in this proceeding seeking the allotment of FM Channel 265A to the community of Peach Springs, Arizona. The statements in these Comments are true and correct to the best of my knowledge.

Dated this 4th day of February 2013.

Respectfully,


Philbert Watahomigie
Vice Chairman

The Hualapai Tribe
Philbert Watahomigie, Vice Chairman
Post Office Box 179
Peach Springs, AZ 86434
(928)769-2216

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CERTIFICATE OF SERVICE

I, F. W. Hannel, principal of F. W. Hannel & Associates, hereby certify that on this 4th day of February 2013, I caused a true and complete copy of the foregoing "Petition for Rulemaking" to be served on the following persons:

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Geoffrey Blackwell
Chief, Office of Native Affairs and Policy Consumer & Governmental Affairs Bureau
Federal Communications Commission 445 12th Street, S.W.
Washington, DC 20554



F. W. Hannel, PE