

JUN 26 2013

FCC Mail Room

Monday, June 24, 2013

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, Maryland 20743

Regarding: Petition for Rulemaking to add FM Channel 286A to Haynesville, Louisiana

Ms. Dortch –

I am sending to the Commission this original Petition for Rulemaking with four copies in furtherance of allocating a new FM Channel (286A) at Haynesville, Louisiana. I have also filed FCC Form 301 (see BNPH-20130624AAP) and paid the requisite application fee. This mutually-exclusive hybrid-application proposal is submitted in conjunction with my company's (SSR Communications, Inc.) long-form Auction #94 request (for Auction #94 permit MM-FM905-AM, BNPH-20130624AAQ) to reallocate FM Channel 288A from Haynesville to Heflin, Louisiana, and then provide "back fill" service on FM Channel 286A at Haynesville for a future spectrum auction via the attached petition for rulemaking. I certify that everything contained herein is correct to the best of my knowledge. Should you have any other questions, then please feel free to contact me at 601-201-2789 or at 740 Highway 49 North, Suite R, Flora, Mississippi 39071.

Respectfully



Matthew K. Wesolowski
Chief Executive Officer
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
) MM Docket No. MB _____
Amendment of Section 73.202(b),)
) RM- _____
Table of Allotments)
)
FM Broadcast Stations)
(Haynesville and Heflin, Louisiana))

To: Office of the Secretary
Attn: Audio Division / Media Bureau

PETITION FOR RULEMAKING

SSR Communications, Inc. ("Petitioner") hereby submits this mutually-exclusive hybrid application Petition for Rulemaking to the Commission to: 1) reallocate Petitioner's Auction Number 94 winning bid long-form application (BNPH-20130624AAQ) on FM Channel 288A from Haynesville, Louisiana to Heflin, Louisiana as that community's *first* local FM broadcast service, and 2) allocate FM Channel 286A at Haynesville, Louisiana as a "back fill" allocation for that community (though no local service presently exists in Haynesville). The proposed changes represent a mutually-exclusive amendment to the Commission's Table of Allotments, as FM Channel 286A may not be allocated at Haynesville unless FM Channel 288A is reassigned, as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Haynesville, Louisiana	288A ¹	286A
Heflin, Louisiana	---	288A ¹

1 - The allocation on FM Channel 288A at Haynesville was recently won by Petitioner during the Commission's FM Broadcast Auction Number 94 (MM-FM905-A). Petitioner has submitted it long-form application (BNPH-20130624AAQ) for this new facility, proposing the reallocation of this channel from Haynesville to Heflin, Louisiana. The proposed FM Channel 286A allocation would then provide "back fill" service to Haynesville for a future spectrum auction, allowing FM Channel 288A to be reallocated to Heflin. As such, Petitioner will apply for FM Channel 286A at Haynesville in a future spectrum auction, and if won, will build out the station promptly.

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Media Bureau Audio - 13-14

This makeup of allocations would represent a *preferential arrangement of the FM Table of Allotments*. Even though Haynesville is not currently being served by a local FM facility, potential future service to that community will not be deprived via the proposed FM Channel 286A allotment. Additionally, the reallocation of FM Channel 288A from Haynesville to Heflin will provide *first local service* to that community.

FIRST LOCAL SERVICE TO HEFLIN, LOUISIANA

The community of Heflin is located in Webster, Parish, Louisiana, and is home to 244 residents, according to the 2010 United States Census. Heflin is home to its own municipal government, United States Post Office and Zip Code (71039), school (Heflin Elementary School), fire department, local library, numerous churches, and many other businesses. Heflin is an incorporated community (generally sufficient for the Commission's allotment purposes), independent of any neighboring communities, and is clearly deserving of its own FM allocation.

FUTURE SERVICE TO HAYNESVILLE, LOUISIANA

The contemplated changes herein would not deprive Haynesville of existing or potential / future local FM radio service. Through the mutually-exclusive rearrangement of allocations proposed above, potential / future service to Haynesville would be preserved with the intended FM Channel 286A allocation, with reference allocation coordinates *identical* to those of the current FM Channel 288A allotment. Currently, Haynesville has no licensed local broadcast facilities, so Haynesville will not be deprived of any operating local broadcast service, thus allowing the reallocation of FM Channel

288A from Haynesville to Heflin. Additionally, Petitioner has not promised service on FM Channel 288A to the residents or businesses within the community of Haynesville at any point in the auction process or this proceeding.

CONCLUSION

Concurrent with this Petition, Petitioner has filed a FCC Form 301 Construction Permit application to construct a new FM facility at Haynesville, Louisiana on FM Channel 286A, as well as a pending FCC Form 301 Long-Form Construction Permit application for its Auction Number 94 facility / permit MM-FM905-A, BNPH-20130624AAQ. In the event that the Commission grant's Petitioner's requests herein, Petitioner asserts that it will participate in any future Commission auction to secure a broadcast license for said facility in Haynesville, as well as construct its proposed facility in Heflin promptly.

Dated: June 24, 2013

Respectfully submitted,

SSR Communications, Inc.
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By: 

Matthew K. Wesolowski
Chief Executive Officer

EXHIBIT A: HAYNESVILLE, LA ALLOCATION STUDY

FM Channel: 286A

Community: Haynesville, Louisiana

Proposed NAD-27 Allotment Coordinates:

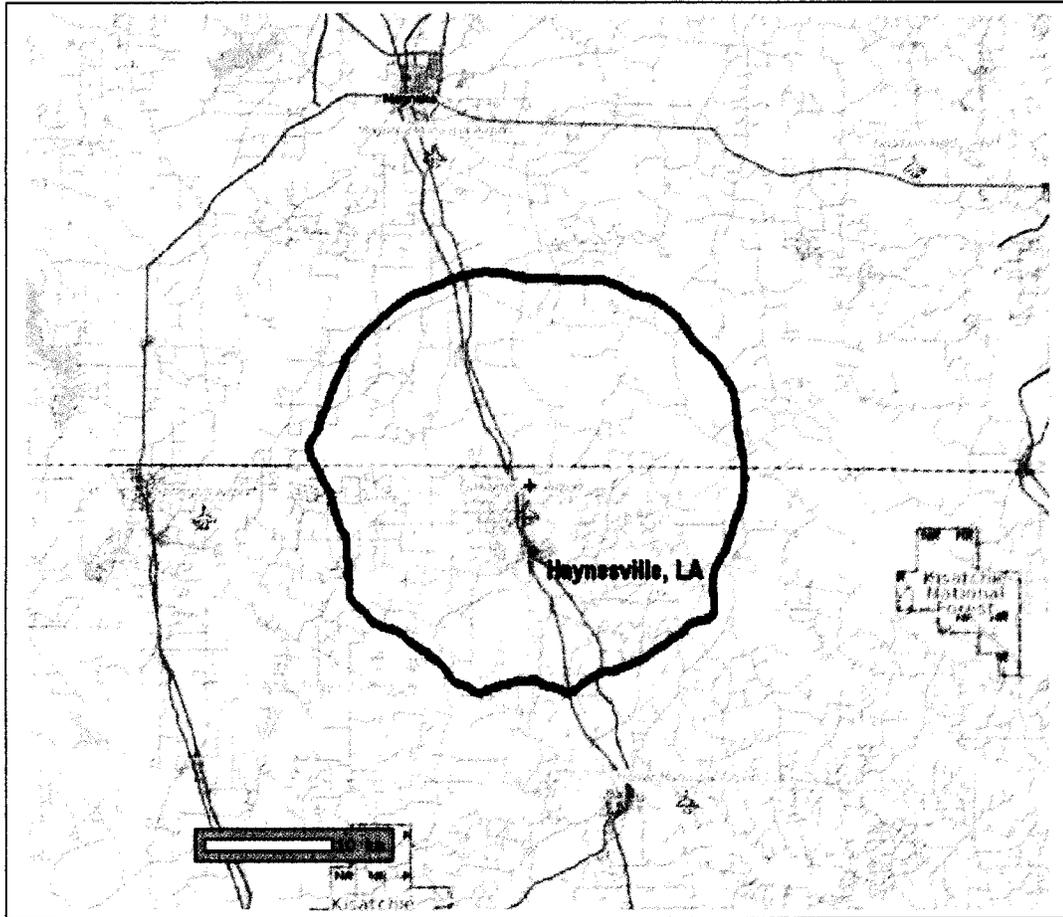
33-00-12 N, 93-08-19 W

FCC Database Date: June 24, 2013

Fac. ID	App. ID	Call	Type	Chan	Community	ST	Dist.	Req D.	Margin
0	295922	NEW	VAC	288A	HAYNESVILLE	LA	0.00	31.00	-31.00*
10865	186133	KLIP	LIC	287C2	MONROE	LA	105.89	106.00	-0.11
49155	611986	KNCB-FM	LIC	287A	VIVIAN	LA	72.19	72.00	0.19
15064	1070871	KTOC-FM	LIC	285C3	JONESBORO	LA	94.73	89.00	5.73
39689	666376	KMJX	LIC	286C1	CONWAY	AR	207.84	200.00	7.84
48740	259422	KHPA	LIC	285A	HOPE	AR	85.82	72.00	13.82
25582	151896	KYKS	LIC	286C0	LUFKIN	TX	230.33	215.00	15.33
165971	1317138	KTTY	LIC	286A	NEW BOSTON	TX	133.74	115.00	18.74
82842	553489	KBEF	LIC	283A	GIBSLAND	LA	52.40	31.00	21.40
0	0	NEW	PROP	288A	HEFLIN	LA	55.83	31.00	24.83*
0	684144	NEW	VAC	285A	OIL CITY	LA	97.94	72.00	25.94
29780	204481	KMGC	LIC	283A	CAMDEN	AR	63.38	31.00	32.38
2936	209326	KAGH-FM	LIC	285A	CROSSETT	AR	112.23	72.00	40.23
60265	110303	KRUF	LIC	233C0	SHREVEPORT	LA	83.05	25.00	58.05
31348	1101821	KTOY	LIC	284A	TEXARKANA	AR	102.94	31.00	71.94
54844	223314	KYKX	LIC	289C0	LONGVIEW	TX	163.86	86.00	77.86
82888	1003537	KZKR	LIC	286A	JONESVILLE	LA	201.13	115.00	86.13
52651	1420849	KWRF-FM	LIC	288A	WARREN	AR	122.07	31.00	91.07
17811	1275653	KHMD	LIC	284C3	MANSFIELD	LA	135.68	42.00	93.68
73065	1365444	KJTX	LIC	283A	JEFFERSON	TX	126.65	31.00	95.65
54822	1128275	KNAS	LIC	288A	NASHVILLE	AR	130.72	31.00	99.72

* - Petitioner is the winning bidder of this allotment from the Commission's FM Broadcast Auction #94, and has requested, via its long-form application BNPH-20130624AAQ, to relocate FM Channel 288A from Haynesville, Louisiana to Heflin, Louisiana. Thus, this mutually-exclusive proposed allocation of FM Channel 288A at Heflin is no impediment to the proposed "back fill" allocation of FM Channel 286A at Haynesville.

EXHIBIT B: HAYNESVILLE, LA COMMUNITY COVERAGE



The FCC f(50,50) 70 dBu contour is shown above, and clearly encompasses 100% of the community of Haynesville, Louisiana.

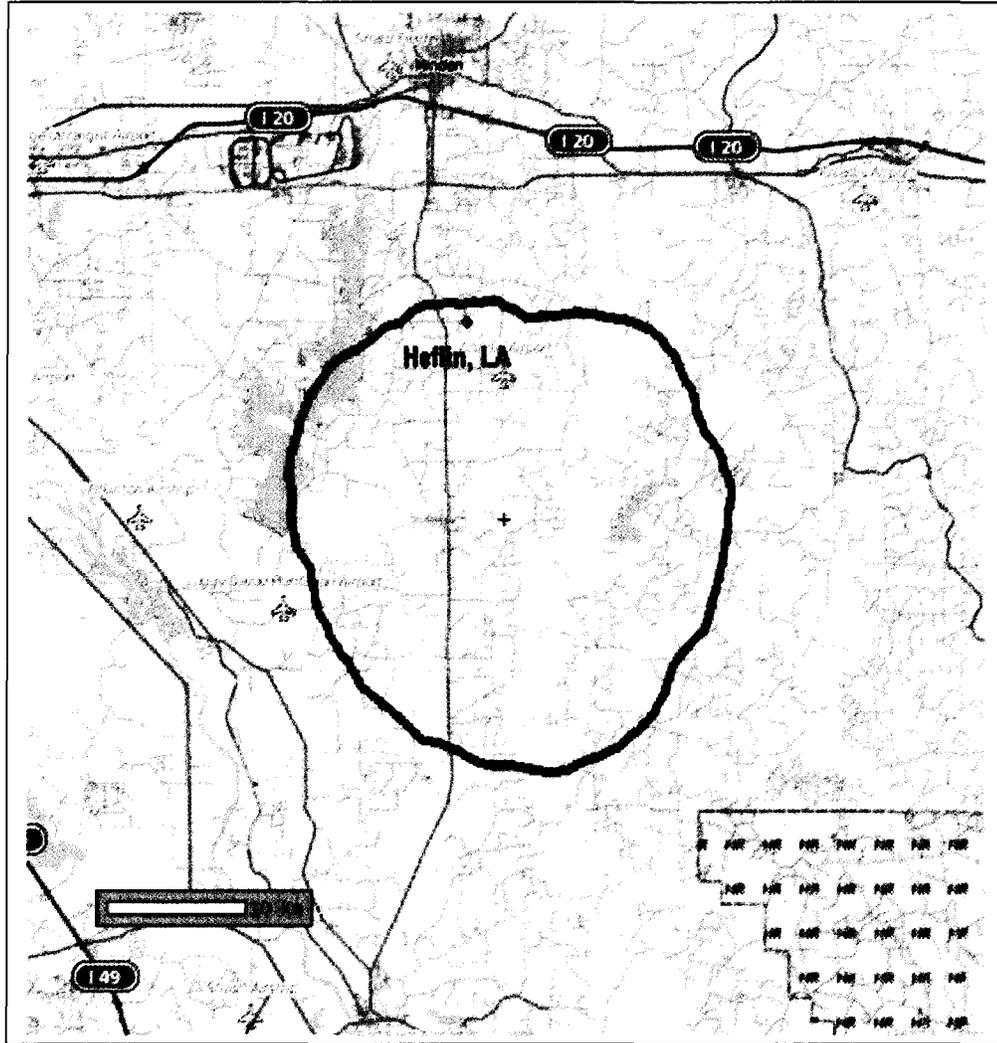
EXHIBIT C: HEFLIN, LA ALLOCATION STUDY

FM Channel: 288A
Community: Heflin, Louisiana
Proposed NAD-27 Allotment Coordinates: 32-19-42 N, 93-14-08 W
FCC Database Date: June 24, 2013

0	295922	NEW	VAC	288A	HAYNESVILLE	LA	75.40	115.00	-39.60*
10865	186133	KLIP	LIC	287C2	MONROE	LA	105.75	106.00	-0.25
54844	223314	KYKX	LIC	289C0	LONGVIEW	TX	151.79	152.00	-0.21
15064	1070871	KTOC-FM	LIC	285C3	JONESBORO	LA	49.54	42.00	7.54
86913	603550	KBKK	LIC	288A	BALL	LA	127.09	115.00	12.09
49155	611986	KNCB-FM	LIC	287A	VIVIAN	LA	91.85	72.00	19.85
50405	115423	KXRR	LIC	291C0	MONROE	LA	114.00	86.00	28.00
4956	179917	KSBH	LIC	235C3	COUSHATTA	LA	52.02	12.00	40.02
0	0	NEW	PROP	286A	HAYNESVILLE	LA	75.40	31.00	44.40
62277	223193	KVVP	LIC	289C3	LEESVILLE	LA	146.75	89.00	57.75
0	684144	NEW	VAC	285A	OIL CITY	LA	95.94	31.00	64.94
52651	1420849	KWRF-FM	LIC	288A	WARREN	AR	181.60	115.00	66.60
54822	1128275	KNAS	LIC	288A	NASHVILLE	AR	195.74	115.00	80.74
25582	151896	KYKS	LIC	286C0	LUFKIN	TX	170.69	86.00	84.69

* - Petitioner is the winning bidder of this allotment from the Commission's FM Broadcast Auction #94, and has requested, via its long-form application BNPH-20130624AAQ, to relocate FM Channel 288A from Haynesville, Louisiana to Heflin, Louisiana. Thus, this mutually-exclusive proposed allocation of FM Channel 288A at Heflin is no impediment to the proposed "back fill" allocation of FM Channel 286A at Haynesville.

EXHIBIT D: HEFLIN, LA COMMUNITY COVERAGE



The FCC f(50,50) 70 dBu contour is shown above, and clearly encompasses 100% of the community of Heflin, Louisiana.