

Before the  
**Federal Communications Commission**  
Washington, DC 20554

**ACCEPTED/FILED**

SEP 17 2014

Federal Communications Commission  
Office of the Secretary

\_\_\_\_\_  
)  
In the Matter of )  
)

)  
Amendment of Section 73.207, )  
73.211, 73.215, and 73.3573 of the )  
Commission's Rules )  
(Class C4 FM Proceeding) )  
)  
\_\_\_\_\_ )

Docket No. \_\_\_\_\_

RM-11727

To: The Secretary  
Attention: Media Bureau

DOCKET FILE COPY ORIGINAL

**COMMENTS OF FLAGLER BROADCASTING, LLC**

Flagler Broadcasting, LLC ("FBL"), by its counsel, hereby files its Comments on the "Petition for Rulemaking" filed by SSR Communications, Inc. ("SSR"), on January 22, 2013.<sup>1</sup> The Petition requests that the Commission (1) create a new class of FM station in Zone II termed "C4" which stations would operate with up to 12 kW effective radiated power with antenna height above average terrain of 100 meters; and (2) create a "Show Cause Order" procedure that would allow certain sub-maximum class FM facilities to be reclassified as Section 73.215<sup>2</sup> stations upon request of a station desiring to upgrade from Class A to Class C4 facilities. FBL fully supports the proposal in the Petition for Rulemaking.<sup>3</sup>

<sup>1</sup> Comments are timely filed by September 18, 2014.

<sup>2</sup> Title 47 CFR § 73.215.

<sup>3</sup> The president of FBL, James E. Martin, has included his name among those persons listed in Exhibit A to SSR's Petition for Rulemaking.

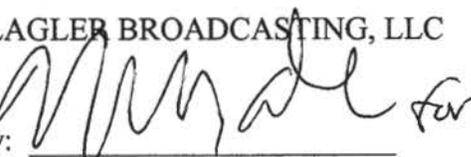
No. of Copies rec'd 0 + 2  
List ABCDE

FBL is licensee of three full-power commercial radio stations, including two commercial Class A FM stations.<sup>4</sup> FBL's stations are the only commercial broadcast stations serving Flagler County within which are the communities of Palm Coast and Bunnell.<sup>5</sup> FBL's stations all have auxiliary power generators and provide needed public service to the residents of Flagler County during adverse weather. This is very important since Flagler County lies on the Atlantic Coast between St. Augustine and Daytona Beach, Florida, and area that is subject to hurricane force winds. Increased coverage for FBL's Class A stations would be in the public interest as additional persons could be served by Class C4 stations.

It would be in the public's interest for the Commission to promptly adopt and release a Notice of Proposed Rule Making incorporating the proposal in the Petition for Rulemaking filed by SSR.

Respectfully Submitted,

FLAGLER BROADCASTING, LLC

By:  for

Gary S. Smithwick  
It's Counsel

Smithwick & Belendiuk, P.C.  
5028 Wisconsin Avenue, N.W.  
Suite 301  
Washington, D.C. 20016  
(202) 363-4560

September 17, 2014

---

<sup>4</sup> WAKX(FM), Palm Coast, Florida; and WBHQ(FM), Beverly Beach, Florida.

<sup>5</sup> Flagler County had a 2010 population of 95,696 and an estimated 2013 population of 99,956.