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

In the Matter of
Proposal for Creation of the Low Power FM
(LPFM) Broadcast Service

FCC RM-9242 and RM-9208

Comments of Stephen Burke

I would like to see the Adjacent Channel Spacing Requirements for LPFM Stations changed. Especially since any possible interference by doing so would be received by the LPFM service not by full power stations.

I do not want to see each town limited to 1 station.

I would like to see AM added to this proposed Low Power Service.

I would like to see a 1 watt service that does not require a license.

I would like LPFM broadcasters to be free to experiment with various antennas for best coverage, this promotes research & development.

I don't want to see a transmission radious limit imposed, this would do away with any incentive to develop better equipment, especially antennas.

I don't think antennas should be limited below 150' in height (HAAT) especially in mountain areas.

I believe large companies & corporations should be kept out of LPFM broadcasting, this should be a voice for the people NOT another money maker for the greedy. I do not consider multi Million dollar business to be small business.

I believe that 100 watts ERP would be an adequate power ceiling for the LPFM service.

I believe license fee's should be kept to a minimum & the requirements simple.

Licenses should be first come, first served, till all available frequencies are used.

I am opposed to auctions, they serve no purpose except to favor the rich.

If timesharing is used it should be a voluntary agreement between applicants before license approval. The first applicant should be able to decide if he wants to share a license with someone.

I DO NOT believe larger stations should be allowed to "Bump" the smaller stations or force them to upgrade, this would defeat the entire purpose of the LPFM service. If they want a Full Power station let them apply for one. The only exception should be, for example, I have a 50 watt LPFM station & I decided to use a frequency that was available for a full power station (not LPFM) and at some future date someone was granted a license on that frequency I could be required to move my LPFM service to a different frequency.

I would like to see 3 types of LPFM service, the first being a 1 watt or possibly even up to 4 or 5 watts, with very little regulation & easily obtainable license or no license required. No restrictions on equipment except that it cause no interference.

The second LPFM service being 10 or 20 watts, using type accepted equipment & License required. This would be needed in all but the smallest towns or communities to get adequate coverage.

The third LPFM service being 50 or 100 watts using type accepted equipment, License required. This service could be used in larger towns where 10 or

20 watts is inadequate or in mountain areas or farming communities where many of the listeners are not in town.

Due to Frequency Modulation many transmitters could be put on the same frequency in adjoining towns or communities with overlapping signals WITHOUT interfering with each other due to the fact that the Receiver will only pick up the strongest signal, when you left one community you would loose their station & pick up the station to the community you are entering.

Now let me tell you a little story about a common law & Constitutionally Lawful LPFM station known as K103.5FM which operated in Holdenville Okla. from July 4 1996 to Jan. 16 1998 on 103.5 and at an ERP of 88 watts for apx. 1 year, this station closed on Jan.16 1998 due to a visit from operatives from your Dallas, Tex. office. K103.5FM was put on the Air after our gospel station (KRAF 1370 AM) was closed by its owner. K103.5FM was the ONLY station here for over a year. This station had the support of the community. It was listened to at the Mayors office, Several local businesses and the Davis Correctional Facility. We did not HIDE what we were doing or the fact we had no license. We distributed surveys several times. We announced many times on the air that we had no license & why. We have a multitude of letters in support of K103.5FM & how well it was liked. We never had a single complaint of adjacent channel interference or interference to any broadcaster on 103.5, we had no complaints of TVI or radio interference. We did our best to see to it that we did not cause any problems of any kind for anyone. We checked the frequency carefully before using it. We had a frequency study done. When we put up our 115 foot tower we got FAA approval for it. We used type accepted equipment, with harmonic filter. We sold no air time or commercials. A local broadcaster thought we were stealing his listeners, we played Southern Gospel & Christian Country, he plays non-Christian Rock-n-Roll, (Lets get real here), So he turned us in after a year & a half. I see no compet-ition here! We were shut down due to 1 thing, no license. The point is the people would like to have their station back. It is my understanding that the FCC works for the people, if so I would like to request your help. One of your operatives told my Uncle that there is a way to get a license even tho your available frequency book & frequency study says there is not. I want to know what it is. I have shown above that it can be done without interference. I don't care what frequency or what power even if it's only 10 watts. Will you help us? We will do the work, we just need to know how. You will find information from the former station attached.

Stephen Burke
1227 E Main
Holdenville OKLA
74848
1-918-697-4019
1-405-379-5521 FAX

U.S. Department of Transportation

Federal Aviation Administration

Southwest Region
Air Traffic Airspace Branch
Fort Worth, Texas 76193-0520

IN REPLY REFER TO
AERONAUTICAL STUDY NO. 97-ASW-2736-OE

ACKNOWLEDGMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

SPONSOR	A-1 Electronics Attn.: Stephen Burke 1227 E. Main Holdenville, OK 74848	**CONSTRUCTION LOCATION** PLACE NAME Holdenville, OK	
		LATITUDE 35°04'46.21"	LONGITUDE *(NAD83)* 96°24'37.03"
CONSTRUCTION PROPOSED	DESCRIPTION Antenna Tower Frequency: 103.5 Mhz, ERP NTE 100 Watts	HEIGHT (IN FEET) ABOVE GROUND 120	ABOVE MSL 975

The Federal Aviation Administration hereby acknowledges receipt of notice dated **September 10, 1997** concerning the proposed construction or alteration described above.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows.

- ☐ The proposed construction does not require notice to FAA.
- ☒ The proposed construction is not identified as an obstruction under the standards of FAR, Part 77, Subpart C and would not be a hazard to air navigation.
- ☐ The proposed construction is identified as an obstruction under the standards of FAR, Part 77, Subpart C but would not be a hazard to air navigation.
  - ☐ The structure should be obstruction marked and lighted per FAA Advisory Circular AC 70/7460-1, "Obstruction Marking and Lighting,: Chapters (not required).
  - ☐ Supplemental notice is required at least 48 hours before the start of construction and within five days after construction reaches its greatest height (use the enclosed FAA form).

This determination expires on **March 31, 1998** unless:

(a) extended, revised or terminated by the issuing office.
(b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.

NOTE: Any request for extension of the effective period of this determination must be postmarked or delivered to the issuing office at least 15 days prior to the expiration date.

- ☐ The proposed construction would exceed Part 77 obstruction standards and further aeronautical study is necessary to determine whether it would be a hazard to air navigation. Pending completion of any further study, it is presumed the construction would be a hazard to air navigation. Further study:
  - ☐ Has been initiated by the FAA.
  - ☐ May be requested by the sponsor within 30 days of the date of this acknowledgment.
- ☐ If the proposed structure were reduced in height to not exceed ft. above ground level (ft. above sea level), it would not exceed Part 77 obstruction standards.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgment will be sent to that Agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED.

SIGNED Douglas E. Felix TITLE Airspace Specialist

ISSUED IN FORT WORTH, TEXAS ON September 25, 1997

FAA FORM 7460-7 (4-83) SUPERSEDES PREVIOUS EDITION

Holdenville, OK

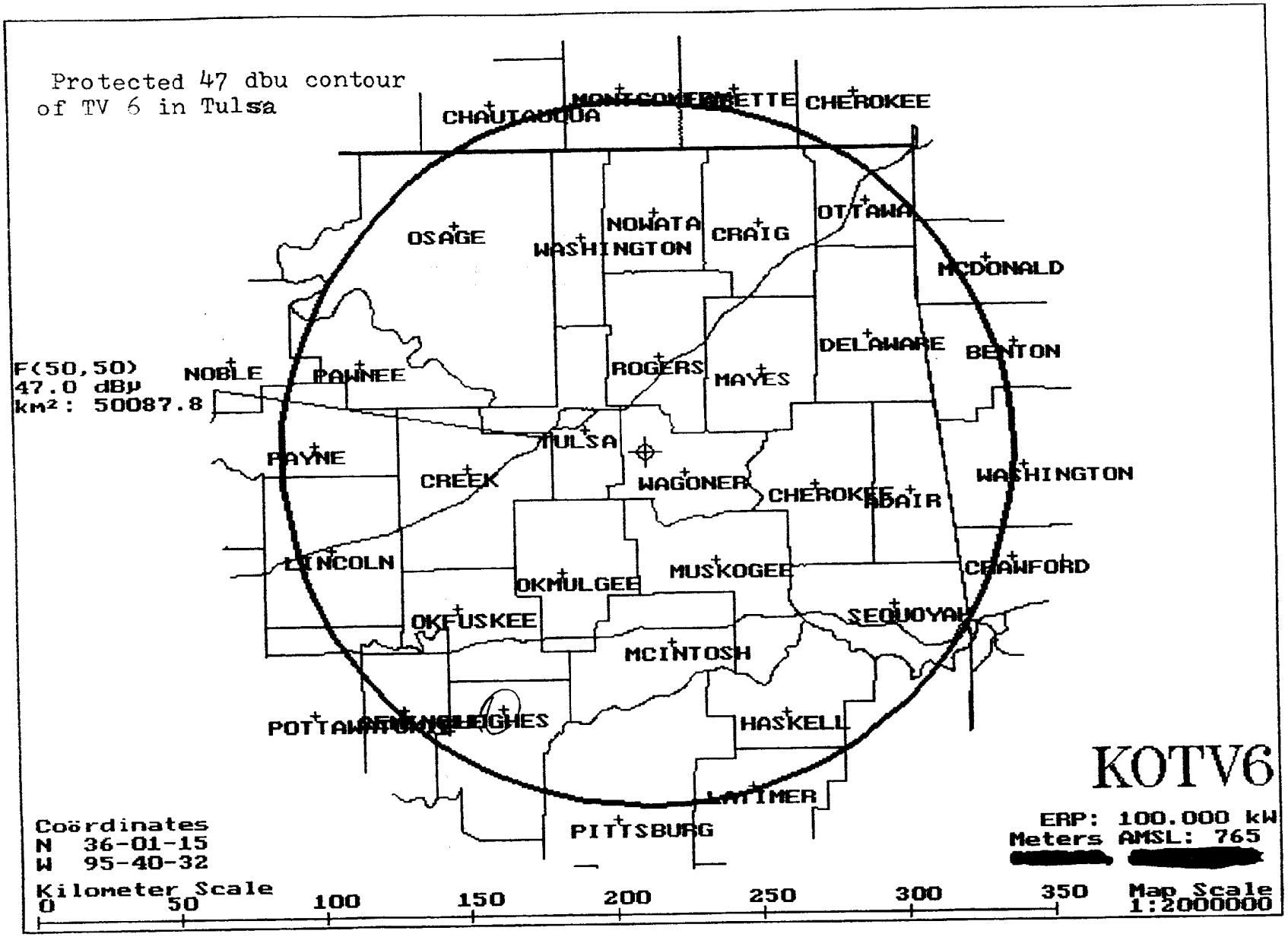
MAPFM search of channel 278A6 (103.5 MHz), at N. 35 4 46, W. 96 24 37.

Searching Channel 278A6 (103.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Atoka	OK	276	C2	V	82.5	55.0	162.2°	27.5 kilometers
KHKCFM	Atoka	OK	276	A	L	76.1	31.0	164.6°	45.1
ALC	Tulsa	OK	277	C	U	124.7	165.0	33.2°	-40.3
KJSR	Tulsa	OK	277	C	L	124.7	165.0	33.2°	-40.3
ALC	Alva	OK	278	C1	V	277.8	200.0	306.9°	77.8
ALC	Dickson	OK	278	C3	V	112.1	142.0	208.0°	-29.9
NEW	Alva	OK	278	C1	A	272.9	200.0	307.2°	72.9
ALC	Anadarko	OK	279	C1	U	180.1	133.0	265.1°	47.1
ALC	Wilburton	OK	279	C1	V	65.8	133.0	99.2°	-67.2
KRPTFM	Anadarko	OK	279	C1	L	180.1	133.0	265.1°	47.1
NEW	Wilburton	OK	279	C1	A	65.4	133.0	99.0°	-67.6
NEW	Wilburton	OK	279	C1	A	66.8	133.0	101.1°	-66.2
ALC	Oklahoma City	OK	281	C	U	111.0	95.0	298.0°	16.0
KMGL	Oklahoma City	OK	281	C	L	111.0	95.0	298.0°	16.0

minus sign (-) means short spaced

SEP= mileage (km) separation required by FCC 73.207 spacing rules.



Jim: I could not find any open channels, commercial or non-commercial Since Holdenville lies within the 47 dbu contour of KOTV, and even if there was a channel available (non commercial) it would limit the power output.

Corrections Corporation of America
Davis Correctional Facility

Route 4, Box 40
Holdenville, Oklahoma 74848-9295
Phone: (405) 379-6400
FAX: (405) 379-6496

June 20th, 1997

K103.5
1227 East Main
Holdenville, OK 74848

To Whom It May Concern:

This letter is written to you as a request by the below listed inmates who are currently incarcerated at CCA - Davis Correctional Facility.

These inmates are faithful listeners of your station and are very appreciative of what you do. They asked me to convey to you their full support and prayers.

Randall Kyle, #137992
Willy Nida, #253049
Jimmy Clymer, #231783
Jimmie Arnold, #179214
Larry D. Hines, #226380
Jedidiah Chappell, #240743
Monte Barton, #242210
Mark W. Trout, #170490
Kevin Ray Haney, #224405
Everett Evans, #205625
Carmon Watts, #218727
Michael Lee Mathis, #126743
Billy Upshaw, #146077
Ira Redding, #151359
Joe Fairchild, #122348
Leslie Colbert, #192465
Harold Smotherman, #136191
Phillip Sumlin, #217463
Avery McClain, #93386
Michael McGee, #162542
Darryl Scoggin, #139771
Rodney Still, #241715
Matt Mathews, #220075
Mickey Langdell, #89355
David Mills, #182927
Frankie Rollans, #145266
David McCoy, #130870
Gailon Smith, #87980
Rex Tastad, #151077
Jack Allen, #229740

If there is anything else that we may do to further support your station, please let us know.

Laborers Together for Him,

Chaplain Bill Boyd

BB/km

K103.5 FM HISTORY

For several years we have recorded all the best songs from a wide variety of CD's. These tapes we would play all day, each day at work. Many of our customers really enjoyed the music. Often we wished everyone could enjoy the music with us. Then came a great idea, we could start a Radio Station. On the afternoon of July 4, 1996, we went on the air with apx 250 mw signal with the intent to experiment with various antennas, the second one worked so well we decided to use it. We continued to broadcast 24 hours a day begin-ing July 4. Later the Lord provided a 10 watt stereo transmitter which we repaired and put on the air. Soon we changed locations and built a studio, we bought new studio equipment. The Lord provided a stereo audio processor. We continued broadcasting.

Later on the Lord provided a better transmitter, we repaired it and with minor modifications's we now had 20 watts. We installed the new transmitter , then we changed the frequency to 103.5 to improve the signal . Other improvements have been and will continue to be made. As Paul Harvey says, "now you know the rest of the story." We trust K103.5 FM will be a blessing to you, as it has been to many others.

We are a 24-hour a day FM STEREO STATION, playing mostly Southern Gospel and Christian Country Music. We strive to pick the best and fastest music possible. We play songs with a good message and the anointing of God on them. Here at K103.5 FM, we enjoy the moving of God's Spirit and we believe, "If it's dead it needs buried." We are a different kind of Gospel Radio Station.

K103.5FM may not be receivable in all areas. A directional roof top antenna pointed at Holdenville and /or a high quality radio should help those with a poor signal.

K103.5FM is kept on the AIR by your freewill offerings of any amount; we thank you for your support.

SURVEY

Circle Your Choice

1. ***Do you listen to K103.5FM YES NO***
2. ***How well do you receive K103.5FM Good Fair Poor No-signal***
3. ***How long have you known about K103.5FM Just found out, Under 1 month, Over 1 month, Over 3 months, Over 6 months***
4. ***Compared to other Gospel Stations, which Station do you prefer K103.5FM*** **OTHER STATION.**
5. ***What type of Gospel music do you like best***

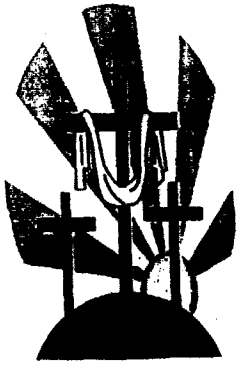
   _____
6. ***Do you like SLOW MEDIUM or FAST songs best.***
7. ***Would you like K103.5FM to remain on the Air. YES NO***

Name _____
Address _____
Phone _____
Signature _____
Date _____

Write
Your Comments
On Back

K103.5 FM

Your Southern Gospel Connection for the Holdenville Area



1227 EAST MAIN
HOLDENVILLE, OK 74848
405-379-5521

Our goal at K103.5FM is to be a blessing to you and a service to the community. Please fill out the attached Survey, along with your comments, and let us know how we are doing. It is important that we have this information for our files. Thank you for your time and help.

K103.5FM, does not sell air time or advertising, we will announce, free of charge Gospel Singings, Revivals or other Church functions.